

## APPRAISER OF MERCHANDISE.

Morris Sabbath, of Chicago, Ill., to be appraiser of merchandise in customs election district No. 39, with headquarters at Chicago, to fill an existing vacancy.

## RECEIVER OF PUBLIC MONEYS.

Frank B. Kinyon, of Idaho, to be receiver of public moneys at Boise, Idaho, his present term expiring February 6, 1920. (Reappointment.)

## UNITED STATES ATTORNEY.

E. F. Aydlett, of Elizabeth City, N. C., to be United States attorney, eastern district of North Carolina, vice Thomas D. Warren, appointed by court.

## UNITED STATES MARSHAL.

C. J. Lyon, of Greenville, S. C., to be United States marshal, western district of South Carolina. A reappointment, his term expiring January 18, 1920.

## PROMOTIONS IN THE COAST AND GEODETIC SURVEY.

The following-named officer of the United States Coast and Geodetic Survey in the Department of Commerce to be hydrographic and geodetic engineer (by promotion from junior hydrographic and geodetic engineer):

Ernest Werner Eickleberg, of New York, vice O. W. Swainson, promoted.

The following-named officer of the United States Coast and Geodetic Survey in the Department of Commerce to be junior hydrographic and geodetic engineer (by promotion from deck officer):

Albert Mathis Weber, of the District of Columbia, vice R. R. Moore, promoted.

## PROMOTIONS IN THE REGULAR ARMY.

## INFANTRY.

*To be colonel.*

Lieut. Col. Lutz Wahl, Infantry, from January 6, 1920.

*To be lieutenant colonels.*

Maj. Edward T. Hartmann, Infantry (Quartermaster Corps), from January 6, 1920.

Maj. Frederick B. Shaw, Infantry, from January 6, 1920.

*To be majors.*

Capt. Frederic G. Kellond, Infantry (General Staff), from January 6, 1920.

Capt. Herbert L. Evans, Infantry (Quartermaster Corps), from January 6, 1920.

Capt. Harry D. Mitchell, Infantry, from January 6, 1920.

*To be captains.*

First Lieut. Mark W. Clark, Infantry, from November 7, 1919.

First Lieut. David S. Rumbough, Infantry, from November 10, 1919.

First Lieut. Francis J. Heraty, Infantry, from November 11, 1919.

First Lieut. Donovan Swanton, Infantry, from November 11, 1919.

First Lieut. Francis A. Macon, jr., Infantry, from November 12, 1919.

First Lieut. Laurence B. Keiser, Infantry, from November 12, 1919.

First Lieut. Homer C. Brown, Infantry, from November 13, 1919.

First Lieut. Clare H. Armstrong, Infantry, from November 18, 1919.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 21, 1920.*

## ASSISTANT TREASURER OF THE UNITED STATES.

Guy F. Allen to be Assistant Treasurer of the United States.

## REGISTER OF LAND OFFICE.

Thomas J. O'Keefe to be register of the land office at Alliance, Nebr.

## RECEIVER OF PUBLIC MONEYS.

John C. Morrow to be receiver of public moneys at Alliance, Nebr.

## POSTMASTERS.

## CONNECTICUT.

Albert E. Wellman, Torrington.

## NEVADA.

Howard C. Mulcahy, Sparks.

Harry H. Mayer, Elko.

## SOUTH CAROLINA.

Malcolm J. Stanley, Hampton.

Thomas B. Madden, Columbia.

Arthur P. Horton, Heath Springs.

Gabriel B. Ingraham, Hemingway.

William R. Moore, Lancaster.

James H. Sullivan, Laurens.

William J. Hughes, Loris.

Andrew J. Bowers, jr., Newberry.

Iris Perry, Ridgeland.

Lillie B. Smoak, St. Matthews.

Ben Harper, Seneca.

Nellie S. Moore, Simpsonville.

George I. Hutchinson, Summerville.

William S. Hite, Batesburg.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 21, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, when the world moves smoothly, the sun shines brightly, the winds blow softly, business is prospering, friends are many and hopes run high, it is comparatively easy to be a Christian.

But when adversities come thick and fast, the home is invaded by death and our loved ones are borne away, the heavens seem overcast with dark and lowering clouds, friends deceive us and hope seems despairing, then it is that the loving arms of a true and faithful God are about us—to uphold, sustain and guide us. Then it is that we need the strong arm of faith, the eternal hope of the soul, and a love which fails us not.

Increase our faith, hope, and love in Thee, O God our Father, and we will praise and magnify Thy holy name. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## LEAVE TO PRINT.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech made before the Illinois Manufacturers' Association in Chicago on the 9th day of January by the gentleman from Iowa [Mr. Good] on the subject of a national budget.

The SPEAKER. The gentleman asks unanimous consent to print in the RECORD a speech made by the gentleman from Iowa [Mr. Good] before the Illinois Manufacturers' Association on the subject of a national budget. Is there objection?

Mr. GARNER. Reserving the right to object, I should like to ask whether that was a political speech or an economic speech.

Mr. CANNON. An economic speech, as I understand it.

Mr. GARNER. Then I have no objection.

The SPEAKER. Is there objection?

There was no objection.

## CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

The Committee on Patents was called.

## TRADE-MARKS AND COMMERCIAL NAMES.

Mr. NOLAN. Mr. Speaker, by direction of the Committee on Patents I call up the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

The SPEAKER. The gentleman calls up a bill which is on the Union Calendar. Under the rule the House resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Michigan [Mr. Cramton] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9023, with Mr. Cramton in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Commissioner of Patents shall keep a register of all marks communicated to him by the international bureaus provided for by the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, in connection with which the fee of \$50 gold for the international registration established by article 2

of that convention has been paid, which register shall show a facsimile of the mark; the name and residence of the registrant; the number, date, and place of the first registration of the mark, including the date on which application for such registration was filed and the term of such registration, a list of goods to which the mark is applied as shown by the registration in the country of origin, and such other data as may be useful concerning the mark.

Sec. 2. That whenever any person shall deem himself injured by the inclusion of a trade-mark on this register, he may at any time apply to the Commissioner of Patents to cancel the registration thereof. The commissioner shall refer such application to the examiner in charge of interferences, who is empowered to hear and determine this question, and who shall give notice thereof to the registrant. If it appear after a hearing before the examiner that the registrant was not entitled to the exclusive use of the mark at or since the date of his application for registration thereof, or that the mark is not used by the registrants or has been abandoned, and the examiner shall so decide, the commissioner shall cancel the registration. Appeal may be taken to the commissioner in person from the decision of the examiner in charge of interferences.

Sec. 3. That any person who shall willfully and with intent to deceive affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, including words or other symbols, tending to falsely identify the origin of the merchandise, and shall then cause such merchandise to enter into interstate or foreign commerce, and any person who shall knowingly transport such merchandise or cause or procure the same to be transported in interstate or foreign commerce or commerce with Indian tribes, or shall knowingly deliver the same to any carrier to be so transported, shall be liable to an action at law for damages and to an action in equity for an injunction, at the suit of any person, firm, or corporation doing business in the locality falsely indicated as that of origin, or in the region in which said locality is situated, or at the suit of any association of such persons, firms, or corporations.

Sec. 4. That any person who shall without the consent of the owner thereof reproduce, counterfeit, copy, or colorably imitate any trade-mark on the register provided by this act, and shall affix the same to merchandise of substantially the same descriptive properties as those set forth in the registration, or to labels, signs, prints, packages, wrappers, or receptacles intended to be used upon or in connection with the sale of merchandise of substantially the same descriptive properties as those set forth in such registration, and shall use, or shall have used, such reproduction, counterfeit, copy, or colorable imitation in commerce among the several States, or with a foreign nation, or with the Indian tribes, shall be liable to an action for damages therefor at the suit of the owner thereof; and whenever in any such action a verdict is rendered for the plaintiff the court may enter judgment therein for any sum above the amount found by the verdict as the actual damages, according to the circumstances of the case, not exceeding three times the amount of such verdict, together with the costs.

Sec. 5. That it shall be the duty of a registrant under this act to comply with the law of the country in which his original registration took place, in respect to giving notice to the public that the trade-mark is registered, in connection with the use of such trade-mark in the United States of America, and in any suit for infringement by a party failing to do this, no damages shall be recovered except on proof that the defendant was duly notified of the infringement and continued the same after such notice.

Sec. 6. That the provisions of sections 15, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, and 29 of the act approved February 20, 1905, entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," as amended to date, are hereby made applicable to marks placed on the register provided for by section 1 of this act.

Sec. 7. That written or printed copies of any records, books, papers, or drawings belonging to the Patent Office and relating to trade-marks placed on the register provided for by this act, when authenticated by the seal of the Patent Office and certified by the commissioner thereof, shall be evidence in all cases wherein the originals could be evidence, and any person making application therefor and paying the fee required by law shall have certified copies thereof.

Sec. 8. That the same fees shall be required for certified and uncertified copies of papers and for records, transfers, and other papers, under this act, as are required by law for such copies of patents and for recording assignments and other papers relating to patents.

On filing an appeal to the Commissioner of Patents from the decision of the examiner in charge of interferences, awarding ownership of a trade-mark, canceling or refusing to cancel the registration of a trade-mark, a fee of \$15 shall be payable.

Mr. NOLAN. Mr. Speaker, this bill proposes to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires on August 20, 1910.

The bill is identical with a bill that passed the Senate in the Sixty-fifth Congress and reported out late in the last Congress by the Committee on Patents of the House. There is no opposition to it. The Secretary of the Treasury, both in the Sixty-fifth Congress and in this Congress, sent to the chairman of the Committee on Patents a letter, a copy of which is included in the report, strongly urging the immediate passage of this legislation. The Commissioner of Patents, representatives of the international high commission, the American Patent Law Association, and a large number of representatives of manufacturers and commercial institutions in this country appeared before our committee earnestly urging the immediate passage of the legislation.

The delegates representing the United States at this convention were Henry White, Enos H. Crowder, Lewis Nixon, John Bassett Moore, Bernard Moses, Lamar C. Quintero, Paul S. Reinsch, and David Kinley.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. NOLAN. I yield to the gentleman from Kansas.

Mr. LITTLE. Do I understand that this convention or assembly of delegates of the different countries made this treaty in 1910?

Mr. NOLAN. That is correct.

Mr. LITTLE. Why this frantic haste to enact this bill into law? Why not wait another 10 years?

Mr. NOLAN. If the gentleman will give me an opportunity to explain the bill, he will become acquainted with the facts.

Mr. LITTLE. That is just what I want to get.

Mr. NOLAN. If the gentleman will give me time to explain the measure, there will not be any necessity for his questions.

Mr. LITTLE. What is the hurry about this? We have waited only 10 years already!

Mr. NOLAN. Only in the last few years have the northern section of the South American Republics ratified the convention. They have now ratified it, and so has the Republic of Cuba. At the present time there is established at Habana a bureau for the registration of trade-marks and commercial names. This gives an opportunity to American manufacturers and those interested in the protection of trade-marks and commercial names to go to the Patent Office or file with the Commissioner of Patents a registration, and for the sum of \$50 American trade-marks, trade names, and commercial names are given protection in all of the Central and South American Republics and in the Republic of Cuba. At the present time, owing to the fact that we have not ratified and put into effect the provisions of this convention, our manufacturers must go to each one of these separate Republics and get separate protection, taking a lot of time and a great deal of money. This convention should have been ratified a long time ago. All this bill does is to give the Commissioner of Patents authority to keep a register of all trade-marks and commercial names communicated to him by the international bureau provided for by the convention for the protection of trade-marks and commercial names, and the fee of \$50 is transmitted to this international bureau.

There is not any considerable amount of work placed on the Commissioner of Patents or the Patent Office by this bill; but the amount of additional fees that are brought in the Commissioner of Patents feels confident will take care of any clerical expenses of the registration bureau.

Mr. BEE. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. BEE. Will the gentleman explain the provisions of section 2 which provide that whenever any person shall deem himself injured by the inclusion of a trade-mark on this register he may at any time apply to the Commissioner of Patents to cancel the registration? Is that an injury to an American citizen by reason of the inclusion of a trade-mark in a foreign country; and if so, wherein does the injury consist? I am asking the question for information.

Mr. NOLAN. The trade-mark laws of this country are radically different from those of the South American Republics and from practically every country in the world. A trade-mark will not be granted on any article that describes the article itself. We have certain restrictions that are not imposed by any Central South American Republic. So, if some man in a South American Republic should secure a trade-mark registration upon an American trade-mark not registrable in this country, his registration of that trade-mark in Habana, or wherever he may see fit in a South American Republic, will not give him any rights he does not possess in this country. Neither will it give an American any right that he does not possess at the present time. So, if a trade-mark is registered from a South American Republic and gets by the Commissioner of Patents without protest, the injured party can come in and get protection under section 2.

Mr. BEE. Without this law they could not file this trade-mark that the American could hereafter complain of?

Mr. NOLAN. No; without a complete investigation by the Patent Office. I have explained that we are not imposing any additional work on the Patent Office. This merely provides for registration at the present time on an application for trade-mark, not carefully inquired into, provided the application is made to the Patent Office. This does not entail that character of work on the Patent Office; it gives the Patent Office the right to register it, and the registrant is not entitled to any protection not now in order under our laws.

Mr. BEE. Suppose here is an American who has a trade-mark, and establishes it in Habana or Rio Janeiro, and some man down there puts this trade-mark into this foreign registry to the injury of the American. Now, is there any protection to the American in the interval if it became necessary to cancel the registration to protect himself against injury by the unlawful filing of the trade-mark?

Mr. NOLAN. If the foreign registrant has protection in the country where originally registered under the law. In times gone by this does not deprive him of the right. He may have registered in a South American Republic some valuable trade-mark of this country. He can not come into this country and use the trade-mark to the detriment of the legitimate owner of the

trade-mark. The man who possesses the right in this country can not be injured.

Mr. BEE. What is the injury to the American holding the trade-mark necessary to protect himself?

Mr. NOLAN. It protects him to this extent. The fact that the trade name has been entered on the registry does not give the man that makes the application any right, but the second provision is a safeguard to the American manufacturer or the owner of the trade-mark or the commercial name.

Mr. MERRITT. Will the gentleman yield?

Mr. NOLAN. Yes.

Mr. MERRITT. Do I understand that the registration of the trade-mark contemplated by the bill is distinct from the registration under our own law?

Mr. NOLAN. Absolutely separate and distinct. It is only for the purpose of keeping a record of these trade-marks and commercial names in the International Bureau.

Mr. WALSH. Will the gentleman yield?

Mr. NOLAN. Yes.

Mr. WALSH. Does the law, or will its administration, in any way affect the situation with reference to German patents upon which we have had some legislation heretofore? Will it protect them or give them a right to take advantage of it?

Mr. NOLAN. No; this only provides for trade-marks in a convention entered into between the United States and the Central and South American Republics and the Republic of Cuba.

Mr. WALSH. So that the register kept under the provisions of this act will only include the registry of those trade-marks and names from the South American Republics or countries which took part in this proposed convention?

Mr. NOLAN. Yes; only those who were a party to the convention. The convention was particularly confined to the Central and South American Republics and the Republic of Cuba. Only those participating in it will be entitled to the benefits of this act.

Mr. WALSH. It does not include European countries?

Mr. NOLAN. It does not. Mr. Chairman, I ask unanimous consent to include in my remarks the proceedings of the convention. It comprises only about four pages and it will not take up much of the Record, and I am sure it will be enlightening to those interested in the bill.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the Record in the manner stated. Is there objection?

There was no objection.

The convention is as follows:

#### CONVENTION.

##### PROTECTION OF TRADE-MARKS.

Their Excellencies the Presidents of the United States of America, the Argentine Republic, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Salvador, Uruguay, and Venezuela:

Being desirous that their respective countries may be represented at the Fourth International American Conference, have sent thereto the following delegates, duly authorized to approve the recommendations, resolutions, conventions, and treaties which they might deem advantageous to the interest of America:

United States of America: Henry White, Enoch H. Crowder, Lewis Nixon, John Bassett Moore, Bernard Moses, Lamar C. Quintero, Paul Samuel Reinsch, David Kinley.

Argentine Republic: Antonio Bermejo, Eduardo L. Bidau, Manuel A. Montes de Oca, Epifanio Portela, Carlos Rodríguez Larreta, Carlos Salas, José A. Terry, Estanislao S. Zeballos.

United States of Brazil: Joaquim Murтинho, Domicio de Gama, José L. Almeida Nogueira, Olavo Bilac, Gastão da Cunha, Herculano de Freitas.

Republic of Chile: Miguel Cruchaga Tocornal, Emilio Bello Codécido, Anibal Cruz Díaz, Beltrán Mathieu.

Republic of Colombia: Roberto Anczar.

Republic of Costa Rica: Alfredo Volio.

Republic of Cuba: Carlos García Vélaz, Rafael Montoro y Valdés, Gonzalo de Quesada y Aróstegui, Antonio González Pérez, José M. Carbonell.

Dominican Republic: Américo Lugo.

Republic of Ecuador: Alejandro Cárdenas.

Republic of Guatemala: Luis Toledo Herrarte, Manuel Arroyo, Mario Estrada.

Republic of Haiti: Constantin Fouchard.

Republic of Honduras: Luis Lazo Arriaga.

Mexican United States: Victoriana Salado Alvarez, Luis Pérez Verdía, Antonio Ramos Pedrueza, Roberto A. Esteva Ruiz.

Republic of Nicaragua: Manuel Pérez Alonso.

Republic of Panama: Bellisario Porras.

Republic of Paraguay: Teodosio González, José P. Montero.

Republic of Peru: Eugenio Larrabue y Unáñue, Carlos Alvarez Calderón, José Antonio de Lavelle y Pardo.

Republic of Salvador: Frederico Mejía, Francisco Martínez Suárez.

Republic of Uruguay: Gonzalo Ramírez, Carlos M. de Pena, Antonio M. Rodríguez, Juan José Amézaga.

United States of Venezuela: Manuel Díaz Rodríguez, César Zumeta.

Who, after having presented their credentials and the same having been found in due and proper form, have agreed upon the following convention for the protection of trade-marks:

ARTICLE I. The signatory nations enter into this convention for the protection of trade-marks and commercial names.

ART. II. Any mark duly registered in one of the signatory States shall be considered as registered also in the other States of the union, without

prejudice to the rights of third persons and to the provisions of the laws of each State governing the same.

In order to enjoy the benefit of the foregoing, the manufacturer or merchant interested in the registry of the mark must pay, in addition to the fees or charges fixed by the laws of the State in which application for registration is first made, the sum of \$50 gold, which sum shall cover all the expenses of both bureaus for the international registration in all the signatory States.

ART. III. The deposit of a trade-mark in one of the signatory States produces in favor of the depositor a right of priority for the period of six months, so as to enable the depositor to make the deposit in the other States.

Therefore the deposit made subsequently and prior to the expiration of this period can not be annulled by acts performed in the interval, especially by another deposit, by publication, or by the use of the mark.

ART. IV. The following shall be considered as trade-mark: Any sign, emblem, or especial name that merchants or manufacturers may adopt or apply to their goods or products in order to distinguish them from those of other manufacturers or merchants who manufacture or deal in articles of the same kind.

ART. V. The following can not be adopted or used as trade-mark: National, provincial, or municipal flags or coats of arms; immoral or scandalous figures; distinctive marks which may have been obtained by others or which may give rise to confusion with other marks; the general classification of articles; pictures or names of persons without their permission; and any design which may have been adopted as an emblem by any fraternal or humanitarian association.

The foregoing provisions shall be construed without prejudice to the particular provisions of the laws of each State.

ART. VI. All questions which may arise regarding the priority of the deposit or the adoption of a trade-mark shall be decided with due regard to the date of the deposit in the State in which the first application was made therefor.

ART. VII. The ownership of a trade-mark includes the right to enjoy the benefits thereof and the right of assignment or transfer in whole or in part of its ownership or its use in accordance with the provisions of the laws of the respective States.

ART. VIII. The falsification, imitation, or unauthorized use of a trade-mark, as also the false representation as to the origin of a product, shall be prosecuted by the interested party in accordance with the laws of the State wherein the offense is committed.

For the effects of this article, interested parties shall be understood to be any producer, manufacturer, or merchant engaged in the production, manufacture, or traffic of said product, or in the case of false representation of origin, one doing business in the locality falsely indicated as that of origin, or in the territory in which said locality is situated.

ART. IX. Any person in any of the signatory States shall have the right to petition and obtain in any of the States, through its competent judicial authority, the annulment of the registration of a trade-mark, when he shall have made application for the registration of that mark, or of any other mark calculated to be confused, in such State, with the mark in whose annulment he is interested upon proving—

(a) That the mark the registration whereof he solicits has been employed or used within the country prior to the employment or use of the mark registered by the person registering it or by the persons from whom he has derived title;

(b) That the registrant had knowledge of the ownership, employment, or use in any of the signatory States of the mark of the applicant the annulment whereof is sought prior to the use of the registered mark by the registrant or by those from whom he has derived title;

(c) That the registrant had no right to the ownership, employment, or use of the registered mark on the date of its deposit;

(d) That the registered mark had not been used or employed by the registrant or by his assigns within the term fixed by the laws of the State in which the registration shall have been made.

ART. X. Commercial names shall be protected in all the States of the union, without deposit or registration, whether the same form part of a trade-mark or not.

ART. XI. For the purposes indicated in the present convention a union of American nations is hereby constituted, which shall act through two international bureaus established, one in the city of Habana, Cuba, and the other in the city of Rio de Janeiro, Brazil, acting in complete accord with each other.

ART. XII. The international bureaus shall have the following duties:

1. To keep a register of the certificates of ownership of trade-mark issued by any of the signatory States.

2. To collect such reports and data as relate to the protection of intellectual and industrial property and to publish and circulate them among the nations of the union, as well as to furnish them whatever special information they may need upon this subject.

3. To encourage the study and publicity of the questions relating to the protection of intellectual and industrial property; to publish for this purpose one or more official reviews containing the full texts or digest of all documents forwarded to the bureaus by the authorities of the signatory States.

The Governments of said States shall send to the international American bureau their official publications which contain the announcements of the registrations of trade-marks, and commercial names, and the grants of patents and privileges, as well as the judgments rendered by the respective courts concerning the invalidity of trade-marks and patents.

4. To communicate to the Governments of the union any difficulties or obstacles that may oppose or delay the effective application of this convention.

5. To aid the Governments of the signatory States in the preparations of international conferences for the study of legislation concerning industrial property, and to secure such alterations as it may be proper to propose in the regulations of the union, or in treaties in force to protect industrial property. In case such conferences take place, the directors of the bureaus shall have the right to attend the meetings and there to express their opinions, but not to vote.

6. To present to the Governments of Cuba and of the United States of Brazil, respectively, yearly reports of their labors, which shall be communicated at the same time to all the Governments of the other States of the union.

7. To initiate and establish relations with similar bureaus and with the scientific and industrial associations and institutions for the exchange of publications, information, and data conducive to the progress of the protection of industrial property.

8. To investigate cases where trade-marks, designs, and industrial models have failed to obtain the recognition of registration provided



for by this convention on the part of the authorities of any one of the States forming the union and to communicate the facts and reasons to the Government of the country of origin and to interested parties.

9. To cooperate as agents for each one of the Governments of the signatory States before the respective authorities for the better performance of any act tending to promote or accomplish the ends of this convention.

ART. XIII. The bureau established in the city of Habana, Cuba, shall have charge of the registration of trade-marks coming from the United States of America, Mexico, Cuba, Haiti, the Dominican Republic, El Salvador, Honduras, Nicaragua, Costa Rica, Guatemala, and Panama.

The bureau established in the city of Rio de Janeiro shall have charge of the registration of trade-marks coming from Brazil, Uruguay, the Argentine Republic, Paraguay, Bolivia, Chile, Peru, Ecuador, Venezuela, and Colombia.

ART. XIV. The two international bureaus shall be considered as one, and for the purpose of the unification of the registrations it is provided:

(a) Both shall have the same books and the same accounts kept under an identical system;

(b) Copies shall be reciprocally transmitted weekly from one to the other of all applications, registrations, communications, and other documents affecting the recognition of the rights of owners of trade-marks.

ART. XV. The international bureaus shall be governed by identical regulations, formed with the concurrence of the Governments of the Republic of Cuba and of the United States of Brazil and approved by all the other signatory States.

Their budgets, after being sanctioned by the said Governments, shall be defrayed by all the signatory States in the same proportion as that established for the International Bureau of the American Republics at Washington, and in this particular they shall be placed under the control of those Governments within whose territories they are established.

The international bureaus may establish such rules of practice and procedure, not inconsistent with the terms of this convention, as they may deem necessary and proper to give effect to its provisions.

ART. XVI. The Governments of the Republic of Cuba and of the United States of Brazil shall proceed with the organization of the bureaus of the international union as herein provided upon the ratification of this convention by at least two-thirds of the nations belonging to each group.

The simultaneous establishment of both bureaus shall not be necessary; one only may be established if there be the number of adherent Governments provided for above.

ART. XVII. The treaties on trade-marks previously concluded by and between the signatory States, shall be substituted by the present convention from the date of its ratification, as far as the relations between the signatory States are concerned.

ART. XVIII. The ratifications or adhesions of the American States to the present convention shall be communicated to the Government of the Argentine Republic, which shall lay them before the other States of the union. These communications shall take the place of an exchange of ratifications.

ART. XIX. Any signatory State that may see fit to withdraw from the present convention shall so notify the Government of the Argentine Republic, which shall communicate this fact to the other States of the union, and one year after the receipt of such communication this convention shall cease with regard to the State that shall have withdrawn.

In witness whereof the plenipotentiaries and delegates sign this convention and affix to it the seal of the Fourth International American Conference.

Made and signed in the city of Buenos Aires, on the 20th day of August, in the year 1920, in Spanish, English, Portuguese, and French, and filed in the Ministry of Foreign Affairs of the Argentine Republic in order that certified copies may be made, to be forwarded through appropriate diplomatic channels to each one of the signatory nations.

For the United States of America:

HENRY WHITE.  
ENOCH H. CROWDER.  
LEWIS NIXON.  
JOHN BASSETT MOORE.

BERNARD MOSES.  
LAMAR C. QUINTERO.  
PAUL S. REINSCHE.  
DAVID KINLEY.

For the Argentine Republic:

ANTONIO BERMEO.  
EDUARDO L. BIDAU.  
MANUEL A. MONTES DE OCA.  
EPIFANIO PORTELA.

CARLOS SALAS.  
JOSÉ A. TERRY.  
ESTANISLAO S. ZEBALLOS.

For the United States of Brazil:

JOAQUIM MURTINHO.  
DOMICIO DA GAMA.  
JOSÉ L. ALMEIDA NORQUEIRA.

OLAVO BILAC.  
GASTÃO DA CUNHA.  
HERCULANO DE FREITAS.

For the Republic of Chile:

MIGUEL CRUCHAGA TOCORNAL.  
EMILIO BELLO CODECIDO.

ANÍBAL CRUZ DÍAZ.  
BELTRÁN MATHIEU.

For the Republic of Colombia:

ROBERTO ANCÍZAR.

For the Republic of Costa Rica:

ALFREDO VOLIO.

For the Republic of Cuba:

CARLOS GARCÍA VELEZ.  
RAFAEL MONTORO Y VALDÉS.  
GONZALO DE QUESADA Y ARÓSTEGUI.

ANTONIO GONZALO PÉREZ.  
JOSÉ M. CARBONELL.

For the Dominican Republic:

AMÉRICO LUGO.

For the Republic of Ecuador:

ALEJANDRO CÁRDENAS.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield for a question?

Mr. NOLAN. Yes.

Mr. MANN of Illinois. The bill on page 3 provides that—

Any person who shall knowingly transport such merchandise or cause or procure the same to be transported in interstate or foreign commerce or commerce with Indian tribes—

and so forth, shall be liable to an action at law. I presume that the author of that provision had in mind, when he used the word "knowingly" a person who transported any of the articles contrary to law—that is, that the articles were contrary to the

law; but to knowingly transport means that the transportation company knows that it is transporting. The transportation company would not know whether the articles are in violation of the law or not, and usually could not know. There have been a great many propositions of that sort submitted to Congress in the course of many years, and I think they have always been changed when they came before this House.

Mr. NOLAN. The section ought to be taken in its entirety—

That any person who shall willfully and with intent to deceive, affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, including words or other symbols, tending to falsely identify the origin of the merchandise, and shall then cause such merchandise to enter into interstate or foreign commerce, and any person who shall knowingly transport such merchandise or cause or procure the same to be transported in interstate or foreign commerce or commerce with Indian tribes, or shall knowingly deliver the same to any carrier to be so transported, shall be liable to an action at law.

And so forth.

Mr. MANN of Illinois. The man who does that ought to be punished, but the transportation company that transports the article knowingly, knowing that it transports it, not knowing what it is, ought not to be punished, yet it is liable to be indicted under the language of this law. It is never safe in enacting a law to presume that the administrative officers will use any common sense, and if the law so provides they are liable to commence action.

Mr. NOLAN. I have no objection to amending it.

Mr. MANN of Illinois. It is all right to penalize the man who does the thing.

Mr. NOLAN. I think it should be confined to that. I have no objection to amending that section so that no transportation company who shall innocently transport any article shall be subject to being dragged into court or be in any way seriously inconvenienced.

I yield 10 minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Chairman, the committee perhaps understands that the importance of this bill is, in the first place, to carry out the convention which was entered into by the Central and South American Republics with this country. The reason for that, so far as this country is concerned, is to protect the manufacturers and the merchants of this country against the so-called trade-mark pirates.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question right there?

Mr. MERRITT. Yes.

Mr. LITTLE. Will the gentleman tell us why we have had to wait 10 years after that treaty was made before any steps were taken to carry it into effect?

Mr. MERRITT. I am not on the committee and I do not know the details as well as the chairman, but my understanding is that the delay of this legislation has been due to the delay on the part of other countries in accepting this convention and getting the necessary machinery ready to carry it out. Is that correct, Mr. Chairman?

Mr. NOLAN. That is right.

Mr. MERRITT. So that, so far as the Patent Committee goes and this House goes, there has been no unnecessary delay in the legislation. It is very difficult for those of us who have been brought up under the law of this country and under the general impression that a man who establishes a trade name and a trade-mark is entitled to its use, and that a man can only establish the right to such a trade-mark by use, to understand why that rule does not prevail elsewhere. It is hard for us to understand the law which exists in many of the countries of South America, that any man, whether he has any connection with the trade-mark or the trade name, can go to the registration office and register that trade-mark and keep out from that country the real creator of the trade-mark and, under our law, the owner. For instance, he can go to the registration office and register a name like "Singer," for the Singer sewing machine, if it has not already been registered in that country, and when a consignment of those Singer machines comes to that company, sent by the Singer people, they can not be landed. There are numerous instances of that sort, and it is to correct that difficulty that this legislation is proposed. It seems to me it does not require much argument to show its necessity. The machinery is very simple, it is inexpensive, and it is already in operation, and I think it is obviously desirable in these times when so many American manufacturers have expanded, owing to the war, when they must have an outlet for their products, when they must expand their foreign trade, to give them the necessary protection in such foreign trade.

I heard only this morning in another hearing before the Patent Committee an illustration which, I think, will be interesting to the committee: Where a manufacturer of Connecticut

clocks was in Japan, and found there exact imitations of clocks that are made in a certain town in Connecticut—not only exactly so far as the mechanism is concerned but an exact imitation of the color and the case and the actual trade-mark. When he ascertained how this came about he found that originally the clocks had been imitated in the Black Forest of Germany, that they had been exported to Japan, and then, when Japan began to develop as a manufacturing country, with its very cheap labor, they were reproduced exactly in Japan, with the shape, the mechanism, the color, and the trade-mark. It is to protect the manufacturers and merchants of this country in their trade names, so important to them, that this legislation is proposed. The protection of the trade name is more important to the manufacturer in other countries than it is at home, because in the East particularly it is the practice to buy on the name. That is true also of textiles, food products, and all kinds of manufactures—sewing machines, clocks and watches, and everything else. They buy on the name. There are no two sides to this question. It is the duty of this House to pass this legislation and to protect in Central and South America the trade of this country and its manufacturers and merchants, as this bill, in connection with the Buenos Aires convention, will do.

Mr. NOLAN. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Chairman, as has already been stated, it is necessary for the Congress to enact this legislation before the United States will become a member of this convention. In 1910 the United States had eight representatives, all of them eminently qualified, including such men as Henry White, Enoch H. Crowder, John Bassett Moore, and others, who participated in the proceedings which culminated in the adoption of the convention of which we are now seeking to become a member. Briefly stated, the purpose of becoming a member of this convention is in order to simplify and expedite and lessen the cost of registration in the various South American and Central American countries, together with the Republics of Mexico and Cuba.

Mr. NOLAN. Mexico is not included.

Mr. DAVIS of Tennessee. While Mexico has not adopted the convention, it is eligible for membership if it does adopt the convention.

As the conditions are now, before an American manufacturer can register his trade-mark in all of those countries, it will cost him over \$500 and also involve a great deal of trouble and delay. He can register his trade-mark in all of those countries for a total cost of \$50, and do it very quickly and expeditiously, under this convention. Now, it occurs to me that it is especially important and opportune at this time for the United States to become a member of this convention, when we are all looking to Central and South America as a future market for a large portion of our products. We are all working to that end, and it is undoubtedly a great field. And all of these manufacturers are loath to enter into these foreign fields unless they feel that they will have adequate trade-mark protection, protection against such conditions as were explained by the gentleman from Connecticut [Mr. MERRITT].

Now, there is another reason why, it occurs to me, it is opportune at this time for us to enact this bill. A Pan American Congress is now in session in the city of Washington. The purpose of it is to promote cooperation between the United States and the Central and South American countries, and to arrange trade and financial relations and connections which will result in closer intercourse, which is certainly very beneficial and very much desired on the part of the United States.

Mr. McDUFFIE. Will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. McDUFFIE. Can the gentleman tell the committee what arrangements other governments of the world have with respect to registration of their trade-marks in the South American countries—England, for instance, and France?

Mr. DAVIS of Tennessee. Well, I can not answer specifically any further than to say that those different countries have laws, as we have, permitting foreign trade-marks to be registered upon certain conditions. And there is a considerable variety of provisions in the different countries. One thing that made it difficult to adopt a convention which would be acceptable to all the countries involved was that very thing. But this convention does not give any rights whatever to any European or Asiatic manufacturers.

Further referring to your question and also to the question propounded by the gentleman from Massachusetts [Mr. WATSH], I will state that the articles of the convention itself, which the

chairman has asked to be incorporated as a part of his remarks, provides in article 1:

The signatory nations enter into this convention for the protection of trade-marks and commercial names.

No nation other than those designated in the articles of convention, to wit, the South and Central American countries, the United States, Cuba, and Mexico, can become a member.

Article 2 provides:

Any mark duly registered in one of the signatory States shall be considered as registered also in the other States of the Union, without prejudice to the rights of third persons and to the provisions of the laws of each State governing the same.

That also answers the question propounded by the gentleman from Texas [Mr. BEE]. In other words, it will not give foreign manufacturers any rights in the United States which they do not already acquire when they obtain trade-mark protection under our general laws, and it does not give any higher rights to any of the respective members of the convention than could be obtained by registering under the laws of the various countries which have become members of the convention. It merely simplifies, expedites, and lessens the cost of registration.

As I started to remark when I was interrupted, it occurs to me that it would be very appropriate for us to show the interest of the Congress and a friendliness on our part and an earnest wish to cooperate with these South American countries, by enacting this bill while the representatives of these various nations are in our city working with the representatives of our Nation in an earnest effort to further these trade relations. I think it would be a beautiful tribute to the fact that they are our guests in the city and the Nation, and it would manifest an interest which no doubt would be gratifying to them.

At the time the Commissioner of Patents appeared before our committee he stated that, lacking two, two-thirds of the signatory powers had already adopted this convention. There has been delay on the part of many of them for the reason that there is always delay in adopting a new departure. We know of no opposition to the measure. The Secretary of State and the entire State Department favor it and are very much interested in it. Secretary of the Treasury GLASS addressed a letter to the chairman of our committee, in which he strongly recommends the passage of this legislation. The Commissioner of Patents favors it. A representative of the American Patent Laws' Association appeared before us and favored it, as well as other gentlemen who are competent to speak upon it. I can conceive of no reason why we should not quickly pass the bill. I can conceive of no evil result that would follow, and it certainly would result in many very great benefits. So far as the expense is concerned, as stated by Secretary GLASS, after we get the convention into operation there will be no further expense. It is intended and expected to be self-supporting. In other words, the fees will be sufficient to maintain the office and conduct the convention.

I trust that the committee will pass this bill, and I am sure that it will result in very great benefits which I have not even undertaken to explain. [Applause.]

Mr. NOLAN. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, it is well known that the State of Connecticut, which I have the honor in part to represent on this floor, is very greatly interested in the subject of patents. From time immemorial Connecticut has furnished its full share of inventors and patented inventions. The manufacturers and the inventors are specially interested. I mean by this that they are first interested, but the interest is general, because what affects them affects business and in the end affects all.

Of course, I am in favor of a bill to protect patents and trade-marks and prevent the pirating of patents and trade-marks, and I expect to support this bill. I note in the latter portion of the bill that it provides for furnishing certain certified copies, and also for certain fees to be paid, which, I understand, will make this bill self-supporting. I also understand that our entire Patent Office is more than self-supporting, which leads me to another matter not directly connected with this bill, and yet bearing somewhat upon it. I refer to the deplorable condition in the Patent Office in regard to the transaction of public business there.

I have complaints, and no doubt other Members of Congress have the same, from numerous people, to the effect that it is impossible for them to get even printed copies of patents. Where it is necessary to get a certified copy, it has to be prepared outside of the office, and even then it requires days or weeks before a simple certification of it can be had. Even the correspondence of the office is delayed, and the adjudications upon the patent applications are universally slow.

I have prepared and introduced a House resolution which, with the consent of the chairman of this committee and the rest of the House, I shall hope to have passed, calling for information on this very subject, as to what is the cause of these delays which have been growing from bad to worse.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes; I yield to the gentleman.

Mr. DAVIS of Tennessee. I will state to the gentleman that the Committee on Patents has had hearings upon different bills in which the matters to which the gentleman refers have been discussed by the Commissioner of Patents and others, and they explain that the growth in the patent business has so far outrun the appropriations and the allowances for help that that fact has brought about the situation complained of.

There is a further fact that should receive consideration, and that is that there have been no increases in salaries in the Patent Office since 1870, I think, and it is impossible for them to keep the trained men they have. About the time they become proficient somebody else offers them more money. The Committee on Patents now has under consideration a bill providing for the allowance of additional employees and increased salaries, and it is hoped that the passage of such bill will remedy the situation to which the gentleman refers.

Mr. TILSON. I am glad the Committee on Patents is contemplating taking action, because there is great complaint, at least, from people in my State in regard to this matter. I have sought to make explanation to them, but in order to do so more intelligently I have asked by this resolution to be furnished with information. I have, not made my resolution privileged, because, in addition to the facts desired, I have asked for the opinion of the Commissioner of Patents as to whether there is not some way in which the situation can be made better. Asking for an opinion would make it not privileged, and therefore I should have to ask unanimous consent.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Certainly.

Mr. NOLAN. I will state to the gentleman that the Committee on Patents during the month of July last held extensive hearings on this subject; that is, to put the Patent Office on an efficient basis, as well as amending the patent laws and providing for a court of patent appeals. There is a program in connection with it, and the Committee on Patents has devoted a great deal of time and attention to the matter. We are about to report a bill that will take care of that serious condition in the Patent Office and give them sufficient help to put the Patent Office on an efficient basis, so that it can function, as well as to keep those highly trained men that they have down there in the Patent Office by paying them sufficient compensation to retain them. Many of their best men have gone into private life.

The policy of this House is a program of economy. We want to take care of the additional expense by increased fees as well as final fees for copies of patents. I think that within a few weeks the Committee on Patents will be able to bring in a measure that will take care of that situation.

Mr. TILSON. The Patent Office, as I have said, pays for itself. It is self-supporting. For that reason I think the public is entitled to prompt service, because sometimes it means a great deal in the transaction of important business.

Mr. NOLAN. I agree with the gentleman. The inventors and the manufacturers of this country have been laboring for several years under a very serious handicap.

Mr. TILSON. That is what prompted the resolution that I have introduced, and I hope, at least, to get sufficient information to be enabled to give an intelligent response to the many complaints that have been made to me on the subject.

Mr. DAVIS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. DAVIS of Tennessee. The Patent Office has not only been self-supporting but it has paid \$8,000,000 into the Treasury beyond what it has taken out, and I believe that every member of the Committee on Patents will favor the bill to which I previously referred, and that it will be shortly reported.

Mr. TILSON. My judgment, perhaps not founded upon as much information as the gentleman possesses on the subject, is that we have been treating the examiners and other highly qualified employees of that important office as ordinary clerical help. They are more than mere clerks. They are experts, in a way, and we shall probably have to pay them accordingly or else we shall not be able to get expert service in this very important bureau of the Government, which is so vitally connected with the industrial progress of the country.

Now, Mr. Chairman, I ask unanimous consent that I may extend my remarks in the Record by inserting extracts from a letter received from a very prominent business man and manufacturer in my State on this subject.

Mr. WALSH. On this bill?

Mr. TILSON. In connection with this matter.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to extend his remarks by inserting the extracts referred to. Is there objection?

Mr. WALSH. Are the letters upon the subject of this bill?

Mr. TILSON. Only extracts from a single letter in regard to the matters I have been speaking of.

Mr. WALSH. In connection with this bill?

Mr. TILSON. As I said in my opening remarks, some of the things I had to say were not strictly confined to this bill but related to patent legislation now pending before this committee.

The CHAIRMAN. Is there objection?

There was no objection.

Following are the extracts referred to:

The deplorable condition of work at the United States Patent Office is so apparent and so detrimental to the best interests of manufacturers like ourselves that we are led to write you concerning it as it appears to us from our experience.

There are daily evidences of bad conditions, which have an immediate and important effect upon our interests and to all inventors and manufacturers.

It is difficult—almost impossible—to get a printed copy of a granted patent or the rendering of an opinion. It was formerly possible to get such copies within two or three days. Now it takes at least a week or 10 days, and in many cases printed copies of patents are exhausted, so that no copies can be obtained. When it comes to manuscript copies, which are of great importance and very necessary at times, they are so difficult to obtain that oftentimes a copy must be prepared by the attorney, sent to the Patent Office to be certified, and paid for when it is certified the same as if it had been made by the Patent Office; and when copies are sent to be certified it takes several weeks or months before they are returned with the certificate.

There is also a great delay in the acknowledgment of applications sent to the Patent Office for filing, or assignments sent for record, which is again very detrimental to business. \* \* \* These conditions seem to be unjust to the inventors and manufacturers, because the Patent Office is self-supporting, has to its credit some \$8,000,000 which have been paid in fees, in excess of expenses, and it would seem there is no valid reason why Congress should not appreciate the situation and pass some legislation which will relieve it.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. NOLAN. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MACGREGOR].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. MACGREGOR. Mr. Chairman and gentlemen of the committee, I have compiled some figures from various sources with reference to the war, which several Members have asked me to put into shape so that they might be available to all. I will read them, as follows:

#### INTERESTING FACTS CONCERNING THE WAR.

1. The total costs of the war to all nations was about \$186,000,000,000.
2. The expenditures of the United States were about \$22,000,000,000.
3. The expenditures by the United States were about equal to those of Austria-Hungary.
4. During the first three months our expenditures were at the rate of \$2,000,000 per day; during the next year they averaged more than \$22,000,000 per day. For the final 10 months the daily average was over \$44,000,000 per day.
5. The Ordnance Department spent \$1,191,182,850 for artillery, the result of which was to deliver 72 American-made guns on the firing line.
6. The total expenditures of the Army itself amounted to \$14,214,061,000.
7. The total of the Army expenditures about equals the value of all the gold produced in the whole world from the discovery of America up to the outbreak of the war.
8. The item of pay for the Army is larger than the combined salaries of all the public-school principals and teachers in the United States for the five years from 1912 to 1916.
9. The number of men serving in the armed forces of the United States during the war was 4,800,000, of whom 4,000,000 served in the Army.
10. Of the 54,000,000 males in the United States, 26,000,000 were registered in the draft or were already in the service.
11. New York State furnished the greatest number of men of any State—367,864. Porto Rico furnished 16,538, Hawaii 5,644, Philippines 255.
12. Two out of every three American soldiers who reached France took part in battle. The number who reached France

was 2,084,000, and of those 1,390,000 saw active service at the front.

13. American divisions were in battle for 200 days and engaged in 13 major operations.

14. In October, 1918, the American divisions held 101 miles of line, or 23 per cent of the entire western front.

15. In the Battle of St. Mihiel 550,000 Americans were engaged, as compared with about 100,000 on the northern side in the Battle of Gettysburg.

16. The Meuse-Argonne battle lasted 47 days, during which 1,200,000 American troops were engaged.

17. The American battle losses of the war were 50,000 killed and 236,000 wounded.

18. The total sum expended by the munitions section of the Ordnance Department was \$3,173,054,546; 10,637,359 American shells of all descriptions were landed in France. The British fired 2,753,000 rounds of ammunition in their preparation for the Battle of Messines Ridge and 4,000,000 rounds in preparation for the Battle of the Somme.

19. Five out of every six men sent to hospitals on account of wounds were cured and returned to duty.

20. The death loss from all causes among American forces was 122,500, of which about 10,000 were in the Navy.

21. Pneumonia killed more soldiers than were killed in battle.

22. When the war was declared the United States had two aviation fields and 55 obsolete airplanes. There was expended for aircraft production \$1,055,000,000. At the time that the armistice was signed there were 196 American-built airplanes on the front.

23. The Construction Division expended \$318,000,000 for cantonments, etc., in the United States.

24. Housing constructed had a capacity of 1,800,000 men, or more than the entire population of Philadelphia.

25. There were 227,447 motor vehicles manufactured in the United States for the War Department; 118,900 were shipped overseas; 8,444 motor vehicles were purchased overseas.

26. Thirty-nine thousand nine hundred and ninety-three motor vehicles were shipped to France after the signing of the armistice, and included in the sale to France.

27. During our 19 months of war more than 2,000,000 American soldiers were carried to France. Of every 100 men who went overseas 49 were carried in British ships, 45 in American, 3 in Italian, 2 in French, 1 in Russian.

28. American Engineers built in France 83 new ship berths, 1,000 miles of standard-gauge track, and 538 miles of narrow-gauge track.

29. The Signal Corps strung in France 100,000 miles of telephone and telegraph wire.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point.

Mr. BLANTON. I do not know how the gentleman is going to end his argument. On Calendar Wednesday the debate is limited to the subject matter of the bill. If the gentleman's speech is not going to terminate in politics, I do not care to object. If it is a matter of information for the House, I shall not object.

Mr. MacGREGOR. It is just for the information of the House.

The CHAIRMAN. Does the gentleman from Texas withdraw his point of order?

Mr. BLANTON. I withdraw it.

Mr. MacGREGOR (continuing):

30. At the time of the signing of the armistice the Signal Corps was operating 282 telephone exchanges and 133 telegraph stations. The telephone lines numbered 14,956, reaching 8,959 stations.

31. Seventy-five per cent of the entire leather production of the country was used during the war.

32. With 391,000 horses in the Army, orders were given to the Procurement Division to contract for \$45,000 saddles and 1,000,000 sets of harness.

33. If all the orders had been filled it would have taken 300,000 more hides than the entire take-off of the United States for a year.

34. There was delivered to the War Department up to May 31, 1918, 131,800,000 pairs wool socks, 85,000,000 undershirts, 83,600,000 underdrawers, 30,700,000 pairs shoes, 21,700,000 blankets, 21,700,000 wool trousers, 12,900,000 coats, 8,300,000 overcoats.

35. Army supplies and property that the United States had in France, costing us \$1,426,000,000, was sold to France for \$400,000,000.

36. Some of the items, with cost price to the United States, were: Flour, \$15,500,000; bacon, \$41,300,000; beef, \$58,890,000; coffee, \$6,500,000; sugar, \$3,200,000; flannel shirts, \$17,200,000;

underwear, \$25,551,000; shoes, \$36,880,000; socks, \$9,000,000; blankets, \$12,400,000.

37. Included in the sale to France were 89,199 motor vehicles costing the United States \$310,739,694.

38. If the \$22,000,000,000 that the war cost the United States were counted in silver dollars, it would take a man counting 72 a minute working 8 hours a day 1,744 years to count them.

If the silver dollars were laid side by side, they would stretch 520,833 miles.

Their weight would be 687,500 short tons.

Loaded in box cars of 40 tons capacity they would make a train of 17,187 cars 130 miles in length.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman from New York yields back two minutes.

Mr. NOLAN. How much time have I remaining?

The CHAIRMAN. The gentleman from California has nine minutes remaining.

Mr. NOLAN. I yield the remainder of my time to the gentleman from New York [Mr. MacCRATE].

Mr. MacCRATE. Mr. Chairman and gentlemen, one of the underlying reasons for this legislation is the piracy of American trade-marks and commercial names in certain countries. There are some countries which require that the home registration must be filed first in that country before they will file a registration of the mark. In some countries, however, that is not true, and anyone can take an American name which we value very highly in this country and, without producing a single item of goods or wares under that name, file it and keep the American manufacturer out of that country. In one case \$100,000 worth of American goods were manufactured in this country and sent to South America. On their way to South America somebody found out the trade name of those goods and went and filed that trade name in the South American country, and when the American goods reached the South American port they were stopped from entering the country, and it was not until after our State Department had made very strong representations that those goods were permitted to enter that South American country.

Another thing is the item of expense to American manufacturers and merchants. Under the present system it costs an American manufacturer who desires to register his trade-mark in South American countries about \$600 to do so. Under this bill that expense will be reduced to \$50; that is, the American manufacturer, instead of having to go to Paraguay, Uruguay, Brazil, and the other South American countries to file his registration, will simply file it with the registration bureau, and that will give it immediate registration in the other countries of South America. Under the present law he must make his round to every one of the different countries. The passage of this law will stop pirating in another way, because in some South American countries an American manufacturer registers a trade-mark, and then some one else goes and registers that same trade-mark in another South American country and deprives the rightful owner of the use of it. If a man is not quick in going from one country to another, he may find that his trade-mark good in one place is not good in another place. But under this proposed law, when he files his registration with the registration bureau, immediately in all South American countries coming within the convention his trade-mark will be registered and his rights will be protected.

Now, with reference to what the gentleman from Connecticut [Mr. TILSON] said as to the Patent Office, I believe we ought to go into this matter carefully. There are copyists in the Patent Office receiving only \$700 a year, and their work nets the Government only 10 cents a folio for copying patents and other matters in the bureau. You will readily see that 10 cents a folio is below the prevailing rate, and that \$700 a year is far below the compensation paid for similar service in other bureaus of the Government. By increasing the copying fee 5 cents a folio we can add about \$50,000 a year to the revenues of the Patent Office. With this \$50,000 we can meet a part of the necessary increase that should be made in salaries in the Patent Office. Then by the changing of the fee for an application for a patent from \$15 to \$20, and reducing the fee for the final issuance of a patent from \$20 to \$15, we can secure an additional \$400,000 a year for the Patent Office, as I am informed, and I believe that without additional expense to the Government we can well properly pay the people who are now performing the work in the Patent Office.

Mr. TILSON. Will the gentleman yield?

Mr. MacCRATE. Yes.

Mr. TILSON. Does the gentleman consider that that would be a fair division of the total cost of obtaining a patent so far

as the service rendered is concerned—fairer than the present division?

Mr. MACCRATE. That is as I understand it from the Commissioner of Patents. The work on the original application, requiring a great deal of searching and other things, ought to be a little more expensive than the final issuance of the patent itself. A great many applications are made where patents are never issued, and if the fee for the preliminary application is made \$20, it would increase the revenues without unduly burdening the men who are interested in obtaining patents. By transferring this \$5 from the final fee to the preliminary fee the total expense in cases where patents are issued will be no greater than it is now.

Now, if I may proceed out of order for a moment, it has occurred to me that in considering all classes of soldier legislation, and bonus legislation, the question where the money shall come from is one that affects the country. As was stated by my colleague [Mr. MACGREGOR] a few minutes ago, the sum of \$9,000,000,000 of American money was advanced to the Allies, on which there is an annual interest charge of about \$415,000,000. If a bill can be drafted for the application of a little more than one-ninth of this amount and the interest for four years, we can easily meet the financial requirements of some of the legislation that has been suggested.

Mr. LONGWORTH. But the gentleman is aware of the fact, is he not, that the policy of the present Treasury Department is not to receive any of this interest at all?

Mr. MACCRATE. That may be the policy, but I do not believe it is the correct policy.

Mr. LONGWORTH. And that the President stated in a message he delivered here to this House that the administration would regard it as a dangerous proposition for any money to be sent to us now by the Allies; that is, for any gold to be shipped to this country. Therefore we are receiving nothing.

Mr. MACCRATE. We are not in any way in danger of losing the good will of our allies if we let them understand that, although we grant extension of time for payment, we expect they will pay the principal and the interest of the moneys advanced by the American people in the way of loans for war purposes.

On the other hand, the American people will not suffer unduly and taxpayers will not complain greatly if a part of the money which they have thus far advanced and paid for war purposes is used for one such purpose—that is, for the payment, not as a measure of their service but as a token of our gratitude, to the men who sprung to the support of the Nation in its hour of need.

I throw this out as a suggestion to the committee dealing with the legislation to see if it is not a workable plan whereby bonds could be issued and redeemed as the Allies pay the principal and interest on these loans.

Mr. LONGWORTH. The gentleman realizes that that is not a matter for Congress. Congress has not the power as things stand now. Under the claim of the Treasury Department they have the right to postpone the collection of the interest indefinitely. The Treasury Department, in other words, claims that under the law authorizing the loans to the Allies, it has the power to postpone the payment of the interest indefinitely, and acting under legislative authority they are postponing all collections of any interest from any debts due from the Allies. We are receiving nothing in the way of interest.

Mr. BLANTON. Will the gentleman yield?

Mr. MACCRATE. I yield.

Mr. BLANTON. In reply to the distinguished gentleman from Ohio, I want to call the gentleman's attention to the fact that the Treasury Department operates under the law and nothing else, and that Congress can change any law that exists in this Nation to-day. If the law under which the Treasury Department is acting is not a proper law, Congress can change it tomorrow.

Mr. LONGWORTH. Unquestionably.

Mr. BLANTON. Then this Congress is responsible and not the Treasury Department.

Mr. LONGWORTH. Is the gentleman from Texas in favor of changing the law?

Mr. BLANTON. I am in favor of every country that owes the United States paying its debts promptly.

Mr. LONGWORTH. The gentleman is not in accord with the administration.

Mr. BLANTON. I will vote, if the gentleman will bring in a rule from the Committee on Rules, to require those countries to pay the interest on their debt.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. MACCRATE. Yes.

Mr. DAVIS of Tennessee. I wish to call the attention of the gentleman to the fact that Secretary Glass addressed a letter to the chairman of the Ways and Means Committee, Mr. FORNEY, in which he stated that it was the opinion of the Treasury

Department that they had the right, without further legislation, to extend the interest payments, but if the Committee on Ways and Means thought otherwise he wanted them to so indicate.

Mr. MACCRATE. The time has come when this Congress must say plainly and unmistakably that it will pass additional legislation in favor of the service men.

If we delay action, our motives may be misunderstood. We may be sure that condemnation will be heaped on any party which attempts to make political capital of soldier legislation.

The good will of men who have gone fearlessly into the valley of death to preserve the Nation's life can not be bought by a bond or a farm or a home, for they know what service to the Nation means and their good will will go to that party which best meets their standard of national service. Let us speedily determine what we should do and then let us do it.

The CHAIRMAN. The time of the gentleman from California has expired. If there is no time desired in opposition, the Clerk will read.

The Clerk read as follows:

Sec. 3. That any person who shall willfully and with intent to deceive, affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, including words or other symbols tending to falsely identify the origin of the merchandise, and shall then cause such merchandise to enter into interstate or foreign commerce, and any person who shall knowingly transport such merchandise or cause or procure the same to be transported in interstate or foreign commerce or commerce with Indian tribes, or shall knowingly deliver the same to any carrier to be so transported, shall be liable to an action at law for damages and to an action in equity for an injunction, at the suit of any person, firm, or corporation doing business in the locality falsely indicated as that of origin, or in the region in which said locality is situated, or at the suit of any association of such persons, firms, or corporations.

Mr. MANN of Illinois. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, line 5, after the word "knowingly," strike out the words "transport such merchandise or."

Mr. NOLAN. Mr. Chairman, the committee has no objection to that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. BLANTON. Mr. Chairman, I ask for a division just to check up.

The question was taken, and there were 35 ayes and no noes.

So the amendment was agreed to.

The Clerk read as follows:

Sec. 7. That written or printed copies of any records, books, papers, or drawings belonging to the Patent Office and relating to trade-marks placed on the register provided for by this act, when authenticated by the seal of the Patent Office and certified by the commissioner thereof, shall be evidence in all cases wherein the originals could be evidence, and any person making application therefor and paying the fee required by law shall have certified copies thereof.

The CHAIRMAN. On line 5, page 5, there is an error in spelling the word "certified." Without objection, the Clerk will make the correction.

There was no objection.

The Clerk read as follows:

On filing an appeal to the Commissioner of Patents from the decision of the examiner in charge of interferences, awarding ownership of a trade-mark, canceling or refusing to cancel the registration of a trade-mark, a fee of \$15 shall be payable.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. In reference to the last paragraph, does that mean that the fee is to be payable for all appeals to the Commissioner of Patents from the decisions of the examiners under the provisions of this act, or is it in all cases? This fixes a fee for filing the appeal from the examiner in charge of interferences. I wondered whether that was fixing a new fee outside of the scope of this act.

Mr. NOLAN. No; the law provides now as to fees both in patents and trade-mark cases. The registration only applies to this act. The registration of a trade-mark in the Patent Office does not give the registrant any advantage until finally approved.

Mr. WALSH. It seemed to me that there ought to be in there somewhere the words "on filing an appeal under the provisions of this act."

Mr. NOLAN. I think perhaps that amendment ought to be made.

Mr. WALSH. Mr. Chairman, I offer the following amendment: After the word "appeal," line 15, page 5, insert the words "under this act."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 15, after the word "appeal," insert the words "under this act."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. NOLAN. Mr. Chairman, I move that the committee do now rise, report the bill to the House with the amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CRAMTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9023, and had directed him to report the same back with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. NOLAN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and (on a division, demanded by Mr. BLANTON) there were—ayes 65, noes 3.

So the bill was passed.

On motion of Mr. NOLAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Has the gentleman from California any further business from the Committee on Patents?

Mr. NOLAN. Nothing further.

The SPEAKER. The Clerk will call the roll of committees.

#### HONORABLY DISCHARGED SOLDIERS.

The Clerk called the Committee on Invalid Pensions.

Mr. FULLER of Illinois. Mr. Speaker, I call up the bill (H. R. 11449) providing that any person who served in the Army, Navy, or Marine Corps of the United States during any war, who was killed in action, or died of wounds incurred or disease contracted in such service, shall be deemed to have been honorably discharged from such service, and to give pensionable status to the widow or former widow of any such person.

The SPEAKER. The gentleman from Illinois calls up the bill H. R. 11449, and under the rule the House will resolve itself automatically into the Committee of the Whole House on the state of the Union, and the gentleman from Connecticut [Mr. TILSON] will take the chair.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. It has been ruled that that can not be done on Calendar Wednesday. The House must resolve itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11449, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That every person who served in the Army, Navy, or Marine Corps of the United States during any war, who was killed in action, or died of wounds incurred or disease contracted in such service, shall be deemed to have been honorably discharged from such service; and any widow or former widow of such person shall be entitled to be paid a pension at the same rate as is paid to widows or former widows of soldiers, sailors, and marines who served in any such war for 90 days or more and were honorably discharged therefrom: *Provided,* That no pension under any general or special act shall be reduced by anything in this act contained.

The CHAIRMAN. Under the rule there are two hours of general debate to be confined to the bill. The gentleman from Illinois is recognized for one hour.

Mr. FULLER of Illinois. Mr. Chairman, I do not wish to take more than a moment in explaining this bill. Under all recent legislation widows' pensions are based on the service of the soldier for 90 days or more and an honorable discharge. The occasion for introducing this bill is a decision of the Pension Bureau or the Department of the Interior that a widow whose soldier husband died in the service of his country can not receive a pension under the act of September 8, 1916, because the soldier has not been honorably discharged technically. It seems to me that a man who was killed or who dies in the service of his country should be considered to be honorably discharged and that the widow should have a pensionable status as well as widows of those who served for 90 days or more. That is all there is in the bill.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. FULLER of Illinois. Yes.

Mr. WALSH. This provides that anyone killed during any war shall be so considered. Would not that give the widows of the soldiers killed in the late war a further pensionable status in addition to what is provided under the war-risk act?

Mr. FULLER of Illinois. I do not think so. The last clause of the bill I think would cover that. It provides simply that the widows of soldiers who died in the service shall be pensionable the same as the widows of those who served for 90 days or more, as provided under existing law. The widows of the soldiers of the late war are not pensioned. They receive compensation.

Mr. WALSH. Of course there is a pension, and we will be legislating to that effect before long. It is called compensation now, but it is under a law which gives them certain benefits. I was wondering if they are receiving that benefit whether under this law they might not come in for additional benefits.

Mr. FULLER of Illinois. The law already provides that they can receive but one pension, and it is held by the Pension Bureau that a widow or anyone receiving compensation from the Pension Bureau can not at the same time receive a pension.

Mr. WALSH. Suppose she is receiving compensation from the War Risk Bureau?

Mr. FULLER of Illinois. It would not make any difference. That fact would be ascertained before the application for the pension is acted upon by the pension officials.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FULLER of Illinois. Yes.

Mr. McLAUGHLIN of Michigan. I received a letter this morning stating that compensation would be allowed either to a soldier or the widow of a soldier, even if a pension were drawn by the one who has applied for compensation.

Mr. FULLER of Illinois. I think that has been the ruling of the War Risk Bureau, while the Bureau of Pensions rules otherwise.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. FULLER of Illinois. Yes.

Mr. CRAMTON. I would like to ask the gentleman from Illinois whether this law would in his opinion apply to this case: Take a soldier who enlisted in the Civil War and who deserted from that enlistment, who then reenlisted soon thereafter and served out the balance of the enlistment and thereafter died of wounds or sickness contracted in the service. Would the widow of such a man receive the pension by virtue of this proposed law?

Mr. FULLER of Illinois. I think she would.

Mr. SANFORD. Mr. Chairman, will the gentleman yield?

Mr. FULLER of Illinois. Yes.

Mr. SANFORD. I have a somewhat lengthy statement, but the gentleman has time enough. In the work on the Military Committee, the subcommittee on desertions has found quite a few cases which seem to me ought to be considered by the gentleman's committee. Yesterday the subcommittee had a case which I think should be included in this bill. The applicant was the widow of a soldier who was honorably discharged, as appeared by the records of the War Department, and who at the time of his death was drawing a pension, but when the widow applied for a pension the Pension Bureau looked up his record and found a record of a court-martial proceeding against him in 1865, and although for 20 years he drew a pension, yet because of the record of the court-martial they refused a pension to the widow. Our committee would be expected to pass favorably on such a case, and I am sure the House would pass favorably upon it. The court-martial offense was trivial, away back in 1865, but that mark against her husband, who himself did not suffer from it all his life, is now brought up to keep the widow from getting a pension, and for eight years she has been trying to get consideration at the hands of Congress.

Mr. FULLER of Illinois. The Committee on Invalid Pensions has had under consideration a bill that would cover precisely those cases, and I have just received a communication from the Commissioner of Pensions indorsing the bill, and I think it will be passed.

Mr. SANFORD. It seems to me it would be a good time to pass it now, and it seems to me that all that would be necessary would be to offer an amendment after the word "service," in line 6, as follows: "or who at the time of his death was drawing pension for such service."

In other words, the pensionable status of the husband should cover the question of service as far as the widow is concerned, it seems to me.

Mr. FULLER of Illinois. It seems to me that the bill is broad enough to cover the case.

# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE  
SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES  
OF AMERICA

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VOLUME LIX—PART 2

JANUARY 6 TO JANUARY 28, 1920

(Pages 1081-2180)



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1050. Also, petition of the Massachusetts Real Estate Exchange, of Boston, Mass., indorsing House bill 8080; to the Committee on Ways and Means.

1051. By Mr. TEMPLE: Petition by the Joseph Plunkett Branch, Friends of Irish Freedom, New Castle, Pa., protesting against any arrangement by the agencies of our Government in control of fiscal matters by which payment of interest due to the United States on foreign loans should be deferred; to the Committee on Ways and Means.

1052. By Mr. TIMBERLAKE: Petition of the Sterling Lodge No. 1336, Benevolent and Protective Order of Elks, against the disloyal and seditious element; to the Committee on the Judiciary.

1053. Also, petition of citizens of Colorado, relative to certain legislation now pending; to the Committee on Military Affairs.

1054. By Mr. YATES: Petition urging the importance of inserting in House bill 10453 the preservation of a State's commissions jurisdiction, so as to relieve shippers from the burden of a second hearing before the Interstate Commerce Commission; also urging the consideration of the other matters suggested in memorial submitted by the National Association of Railway and Utility Commissioners, excepting the recommendation for the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1055. Also, petition of the Hamilton Club, of Chicago, Ill., urging the establishment by Congress at an early date of an aeronautical department of the Government under a Cabinet officer and with adequate appropriation, and reciting that the Hamilton Club will aid at once in acquiring for Chicago a municipal landing field; to the Committee on Military Affairs.

1056. Also, petition of the Heppes Nelson Roofing Co., Chicago, Ill., advocating the retention of the present powers of the various State commissions as provided for in House bill 10453, but opposing the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

## SENATE.

THURSDAY, January 22, 1920.

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, Lord of all the earth, God of our fathers, accept, we beseech Thee, our grateful thanksgiving for all Thy mercies unto us. Forgive us wherein we have failed to see Thee and to do Thy will, and grant unto us grace that with pure and unselfish devotion to the establishment of Thy righteousness in the earth we may give ourselves to the affairs before us this day.

Let Thy blessing rest upon the President of our United States and all others in authority over us. Bless the people of our land, our homes, our loved ones. Keep us ever true to Thee, and then at last crown us with Thine own blessed, "Well done." We ask in His name, who taught us all when we pray to say:

Our Father who art in heaven. Hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory, forever. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House insists upon its amendment to the bill (S. 3076) authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and attachment in foreign jurisdictions, and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. VORSTED, Mr. MORGAN, and Mr. WHALEY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes; and

H. R. 11449. An act providing that any person who served in the Army, Navy, or Marine Corps of the United States during any war, who was killed in action, or died of wounds incurred or disease contracted in such service, shall be deemed to have been honorably discharged from such service, and to give pensionable status to the widow or former widow of any such person.

### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2476. An act to amend the act establishing the eastern district of Kentucky;

S. 3427. An act to establish a commission on the practicability, feasibility, and place, and to devise plans for the construction of a public bridge over the Niagara River from some point in the city of Buffalo, N. Y., to some point in the Dominion of Canada, and for other purposes;

H. R. 1216. An act to amend an act entitled "An act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27, 1888, as amended March 2, 1889;

H. R. 2980. An act to increase the efficiency of the Military Establishment of the United States;

H. R. 10137. An act to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes"; and

H. R. 10331. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918.

### PETITIONS AND MEMORIALS.

Mr. NELSON presented a memorial of sundry citizens of Red Lake County, Minn., remonstrating against the taxation of bonds issued by joint-stock land banks, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Minnesota, praying for the passage of the so-called Smoot land-bank bill, which was referred to the Committee on Banking and Currency.

He also presented the memorial of H. B. Smith, president of the Northern Pacific Railway Beneficial Association, of St. Paul, Minn., remonstrating against the enactment of certain antipass legislation affecting railroad surgeons, which was referred to the Committee on Interstate Commerce.

Mr. ASHURST. I present resolutions adopted by the Chamber of Commerce of Yavapai County, Ariz., which I ask to have printed in the Record.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

"Whereas there has grown up in this country one or more organizations which openly avow their purpose and design to forcibly overthrow our Government, which openly spread revolutionary propaganda, which advise and encourage disobedience and open defiance of lawfully constituted authority, which in time of war have given aid and comfort to our enemies, and, claiming the protection of our laws, do themselves advocate and practice murder, intimidation, and wanton destruction of property as a means of furthering their unlawful and disloyal ends; and

"Whereas there are harbored in this country many of foreign birth, some of whom have been admitted to citizenship, whose chief occupation is to teach the doctrines of anarchy, syndicalism, and force, and who promote unrest and disloyalty among our population of foreign birth; and

"Whereas, as a result of the nefarious, seditious, and disloyal teachings aforesaid, there is a well-founded belief that there does now exist in this Nation an extensive organized conspiracy to forcibly overthrow our form of government, to hold our Constitution and laws in contempt, and to substitute therefor a government by a class for that class—the so-called soviet or proletariat; and

"Whereas those of our institutions which guarantee the equal rights and opportunities of all of our citizens are thus put in jeopardy: Therefore be it

"Resolved by the Chamber of Commerce of the County of Yavapai, State of Arizona, That the Senate and Congress of the United States and the legislatures of the several States be urged to enact the most stringent laws to suppress the disloyal and seditious activities above set forth; that ample funds be placed at the disposal of those charged with the enforcement of such laws; and that all aliens engaged in disloyal propaganda or practices be deported from our country: Be it further

the prewar average; structural steel, 120 per cent; and lead, 72 per cent—to cite only a few other essential commodities.

"As apparently so-called 'low-price' copper producers, which may be assumed to mean 'low cost,' have been singled out for special attack, it is surely unnecessary to point out that those mines so gifted by nature with conditions which permit the extraction of the metal cheaply, were penalized by an 80 per cent war-profit tax, thus placing them on an equality with those less favorably endowed.

"The Federal Trade Commission in its report of June 30, 1919, entitled 'Copper,' gave the average costs of all the American companies for the year 1918 as 16.17 cents, allowing only seven-tenths of a cent for depletion and excluding all except local State taxes. It might also be stated, as pointed out by the commission, that charges for exploration and development work during this period were almost negligible owing to shortage of labor. As the Federal corporation and excess-profits taxes, properly falling most heavily on the low-cost producers and those who are charged in the Graham report with having entered into an illegal combination with the connivance of the Government, will probably be about 2½ cents per pound of copper, the margin of profit since the United States entered the war will not have averaged that of prewar years, while since the armistice such metal as has been sold has not paid for the cost of extraction.

"As to the charge that 'immense profits were made by the producers of copper by virtue of a combination of the low-price producers, which combination was aided and encouraged by the Government, although in violation of the law of the land,' it should only be necessary to explain the machinery devised by the War Industries Board to show the absurdity of the allegation.

"When the Government took practical charge of the industry it utilized the highly developed selling organizations of the United Metals Selling Co. and the American Smelting & Refining Co.; the former for the distribution of copper for domestic consumption and the latter for the export business. A committee known as the copper producers' committee was formed, consisting of the representatives of all the important selling agencies. This committee, acting under the instructions of the War Industries Board, and being itself practically a Government agency, allocated to the allied nations and the domestic consumers their respective proportions of output as directed. The United Metals Selling Co. and the American Smelting & Refining Co. actually donated, without expense to the Government or the other producers, the services of their specialized and efficient organizations to simplify the very complicated object desired. Surely there was nothing illegal nor in restraint of trade in such an arrangement, which constituted simply a means for equitable and intelligent distribution of product, without power or initiative even to consider the question of price.

"On the presentation of the committee report to Congress on December 16 Mr. GRAHAM attacked the War Department and the United Metals Selling Co. for what he termed was a means by which it was made possible 'for certain copper producers to maintain and largely increase the price of copper to the public since the signing of the armistice by disposing of its surplus to a combination of such producers.' The facts, which are of record in the files of the committee, are as follows:

"At the conclusion of hostilities the Government found itself in possession of approximately 100,000,000 pounds of refined copper, brass, and scrap, which it was anxious to dispose of. Not desiring to create an abnormal condition by flooding the market, which would have depressed the price and caused a serious financial loss, the Government entered into an arrangement with all the producers through the United Metals Selling Co. whereby this surplus stock should be sold along with that in the hands of the producers in proportion to the ratio which the Government stock bore to that of the producers. By this means the surplus was sold and the same price realized as was received by all the other selling agencies, so that the Government will have obtained approximately 17½ cents per pound for its surplus, which, while undoubtedly representing a loss as compared to the price paid, was far more than would have been received had these holdings been dumped upon an already overstocked market in one lot. As the average price obtained for copper was, as before stated, 17½ cents since the armistice, which is admittedly below the average cost of production, the 'great and substantial profits' complained of by Mr. GRAHAM are hard to visualize.

"It is conceivable that a Nation, organized administratively for peace conditions only, when confronted with the problems which presented themselves in the spring of 1917, might naturally have experienced extreme difficulty in perfecting an organization competent to obtain full value for its expenditures. There were bound to be wasteful and extravagant contracts made by inexperienced and zealous agents of the Government,

and it is undoubtedly proper and desirable that full investigation of war expenditures should be made in order to ascertain if any taint of fraud existed in connection with such transactions. The American public wants no whitewashing of fraudulent or even doubtful contracts, nor will it stand for charges, definite or implied, which can not be substantiated by facts and which have been spread broadcast for purely partisan reasons.

"The copper producers invite the most searching and public investigation of their relation with the Government, confident that any unprejudiced tribunal will decide that the charges made by the Graham committee are false and vicious and circulated solely and purely for campaign purposes."

#### LEAGUE OF NATIONS COVENANT.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the Record an editorial by Mr. Bryan commenting on an amendment which I offered to the League of Nations covenant, together with a letter which I will furnish later, commenting in part upon this subject.

There being no objection, the matter referred to was ordered to be printed in the Record, as follows:

#### GORE'S REFERENDUM AMENDMENT.

"On another page will be found an extract from Senator GORE's speech, made during the treaty discussion in advocacy of an advisory vote on war. His amendment was voted down, but the vote does not indicate the real attitude of the Senate on the subject. The Democrats who were likely to favor Mr. GORE's amendment were restrained from voting for it while they were endeavoring to secure ratification without reservations. And then, too, there would be some hesitancy about forcing such a provision on all the nations even though our Senators might unanimously favor an application of the principles to our own Nation.

"The principle for which Senator GORE contends is entirely sound and ought to be adopted by this country, and ought also be brought before the League of Nations by our delegates. If there is any merit at all in the doctrine that governments must derive their just powers from the consent of the governed, surely the governed ought to have the right to decide for themselves, by popular vote, a question as important as going to war. No other subject comes so near to the people. It has long been the custom to submit constitutional amendments to a popular vote, and in cities bond issues and grants of franchises are submitted to popular vote. If people have the right to be heard on such questions, how much greater is their right to be heard on questions that involve their lives and the exercising of the taxing power as it is employed in time of war. A referendum on war would give greater assurance of peace than any other provision that could be made. With the advent of women into politics the argument in favor of a referendum gathers additional strength and the probability of a peaceful solution of international difficulties increases. Senator GORE should not be discouraged by the defeat of his resolution; the principle is right, and a righteous principle always triumphs finally.

"W. J. BRYAN."

#### HOUSE BILLS REFERRED.

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, was read twice by its title and referred to the Committee on Patents.

H. R. 11449. An act providing that any person who served in the Army, Navy, or Marine Corps of the United States during any war who was killed in action or died of wounds incurred or disease contracted in such service shall be deemed to have been honorably discharged from such service, and to give pensionable status to the widow or former widow of any such person, was read twice by its title and referred to the Committee on Pensions.

#### SHIPPING BOARD CLAIMS.

The VICE PRESIDENT. Is there further morning business? Mr. FERNALD. I ask unanimous consent to take from the calendar the bill (S. 3451) authorizing the United States Shipping Board to adjust the equitable claims of wooden-ship builders arising out of the prosecution of the war, and I deem it fair to the Senate to make a few very brief remarks in regard to it. I shall then ask unanimous consent to proceed to its consideration.

Mr. SMOOT. The Senator has reference to the bill he reported yesterday from the Committee on Commerce?

Mr. FERNALD. Yes.

Mr. SMOOT. In that case I am compelled to ask for a quorum, because there is one Senator now absent who will be very much interested in what the Senator is going to say.

# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE  
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# Congressional Record.

## PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS SECOND SESSION.

### SENATE.

SATURDAY, February 21, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in Thy gracious favor Thou hast revealed unto us the path of life. Thou hast conditioned our highest good upon the achievement of character, and Thou hast given to us the great principles upon which we may build a character that can stand the test of time. We pray Thy blessing upon us today that we may have our eyes ever on Thy Word, our hearts ever going out in humble obedience to Thy will, and our lives consecrated to Thy service. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore took the chair.

On request of Mr. SMOOT, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Wednesday, February 18, 1920, was dispensed with and the Journal was approved.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 12351) to extend the time for the construction of a bridge across the Roanoke River in Halifax County, N. C., in which it requested the concurrence of the Senate.

#### HOUSE BILL REFERRED.

H. R. 12351. An act to extend the time for the construction of a bridge across the Roanoke River in Halifax County, N. C., was read twice by its title and referred to the Committee on Commerce.

#### CALLING OF THE ROLL.

Mr. BRANDEGEE obtained the floor.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Frelinghuysen	King	Pittman
Ball	Gay	Kirby	Polindexter
Beckham	Glass	Knox	Ransdell
Brandeggee	Gronna	Lenroot	Robinson
Capper	Hale	Lodge	Sheppard
Chamberlain	Harris	McKellar	Simmons
Colt	Harrison	McLean	Smith, Ga.
Culberson	Henderson	McNary	Smoot
Cummins	Johnson, Calif.	Moses	Spencer
Curtis	Johnson, S. Dak.	Nelson	Stanley
Dial	Jones, N. Mex.	New	Sterling
Dillingham	Jones, Wash.	Norris	Thomas
Edge	Kellogg	Nugent	Townsend
Elkins	Kendrick	Overman	Trammell
Fletcher	Kenyon	Page	Walsh, Mont.
France	Keyes	Phipps	Warren

Mr. GRONNA. I was requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. DIAL. I desire to state that my colleague [Mr. SMITH of South Carolina] is absent on account of illness. I ask that this notice may continue for the day.

Mr. CURTIS. I have been requested to announce that the Senator from West Virginia [Mr. SUTHERLAND] is detained by illness.

Mr. MCKELLAR. The Senator from Oklahoma [Mr. GORE] and the Senator from Delaware [Mr. WOLCOTT] are absent on public business.

The Senator from Virginia [Mr. SWANSON] is detained by illness in his family, and the Senator from Massachusetts [Mr. WALSH] is detained by the illness of a member of his family.

The Senator from Rhode Island [Mr. GERRY] is detained at home by illness.

The Senator from Nebraska [Mr. HITCHCOCK], the Senator from Maryland [Mr. SMITH], the Senator from California [Mr. PHELAN], the Senator from Tennessee [Mr. SHIELDS], and the Senator from Ohio [Mr. POMERENE] are absent on official business.

The PRESIDENT pro tempore. Sixty-four Senators have answered to their names. There is a quorum present.

#### SALE OF SHIPS.

Mr. BRANDEGEE. Mr. President, I find in the RECORD, on page 3380, under the date of February 20, the following:

The Vice President laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper, ordered to lie on the table and be printed.

The RECORD then proceeds to print the message of the President, which is Senate Document No. 231, entitled "Sale of ships." It does not print the accompanying paper to which it refers. The President stated:

I am, nevertheless, transmitting it in order that the Senate may be in possession of all the information there is in any way relating to the vessels in question. I had intended to submit this to Congress at the appropriate time, after the ratification of the treaty with Germany.

Of course, the message of the President is not fully intelligible except as the paper, in the nature of an agreement or understanding between him and Lloyd-George, is printed with it, and I ask unanimous consent that in the permanent issue of the RECORD the understanding submitted by the President may be printed immediately following the message of the President.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut?

Mr. FLETCHER. May I ask the Senator to state again what his request is? I could not follow it, owing to some confusion in the Chamber.

Mr. BRANDEGEE. The request is that the paper which the President transmitted with his message be printed in the RECORD in conjunction with the message.

Mr. FLETCHER. Yes; I think that is right.

The PRESIDENT pro tempore. The Chair hears no objection, and it is ordered accordingly.

Mr. BRANDEGEE. While I have the floor, Mr. President, I desire to state in this connection that last Saturday, as will appear on page 2907 of the RECORD, I introduced the resolution to which the President replied. I stated then as follows:

I simply desire to state that I have several times heard, from what I think is good authority, that there was some understanding between the President and Lloyd-George, or some member of the British Government, in relation to the disposition of the German ships or the proceeds derived from them in case they were disposed of. I do not know whether or not that is a fact. If it is, I should like to know it, as being germane to the subject which we are now considering. I should like to have the resolution considered and agreed to.

Thereon, for about half a column, there were questions and answers between me and several Senators in relation to that matter.

Mr. KING. May I ask the Senator whether the matter about which he inquires related only to the captured ships—not to the interned ships?

Mr. BRANDEGEE. The resolution, as the Senator will see from the RECORD, on page 2907, did not call them interned ships. It describes them as the German ships which the Shipping Board were proposing to sell. It also inquired whether there was any understanding or agreement in relation to any other ships that came into our possession after the close of hostilities.

I did not know whether we had acquired any such shipping or not, and inasmuch as the Shipping Board was proposing to sell, and doubt was expressed by the Senator from Nebraska [Mr. HITCHCOCK] both previously and in his talk the other day as to the title of this Government in those ships, I desired to see what was the status of those ships, how they came into our possession, as to whether we had a right to sell them, and as to whether there was any agreement either as to their sale or as



Whereas it is believed that participation by the Department of Commerce in such exposition may tend to promote, develop, and foster the foreign and domestic commerce of the United States: Therefore be it

*Resolved, etc.*, That the Secretary of Commerce be authorized, in his discretion, to cooperate with the managers of such exposition and to furnish such exhibits from the various bureaus and branches in his department as, in his judgment, may be of value in the performance of the functions of the department: *Provided*, That such cooperation and the furnishing of such exhibits shall be without expense to the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### PROTECTION OF TRADE-MARKS.

Mr. BRANDEGEE. From the Committee on Patents I report back favorably with amendments the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

I ask unanimous consent for the present consideration of the bill. I will explain it very briefly. If it causes any debate, I shall not attempt to take up the time of the Senate. It is a bill which passed the House and has the unanimous report of the Committee on Patents.

Mr. SMOOT. I should like to have the bill explained.

Mr. BRANDEGEE. Does the Senator desire me to explain it now or does he wish to have it read first?

Mr. SMOOT. Let it be read in full. That may explain it sufficiently.

The bill was read.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. FLETCHER. I desire to ask the Senator from Connecticut a question. I recall that I introduced a bill—I did not prepare it, but it was recommended by the department—at the last session, and I had it referred to the Committee on Commerce. That committee, after quite extensive hearings, reported the bill favorably, and the Commissioner of Patents finally agreed to the bill as it was reported. As I recall, the bill was passed by the Senate. I should like to ask the Senator from Connecticut if this bill conforms to the bill which was favorably acted on by the Senate at the last session?

Mr. BRANDEGEE. Mr. President, the Senator from Florida introduced in the Sixty-fifth Congress, second session, Senate bill 4889. It was then Calendar No. 508. The bill was favorably reported, under date of August 29, 1918, and it was passed by the Senate. The Nolan bill, so called, which the Secretary has just read to the Senate, is a duplicate of the bill which the Senator from Florida introduced and which the Senate heretofore passed. The House of Representatives, however, did not pass the bill during that Congress. It was on the calendar, favorably reported, but in the House there was not time for consideration, and the bill could not be brought up. The House has this year passed a duplicate of the bill which the Senate passed a year or two ago. I shall not make any request in reference to the printing of the report on the bill until I see whether or not the Senator from Utah [Mr. SMOOT] wants to ask any further question about it. The situation is that a similar bill has been passed by both branches of Congress. In the last Congress it was passed by the Senate, recommended favorably by the House committee, and was placed on the House Calendar. In this Congress it has been passed by the House.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Utah?

Mr. BRANDEGEE. I yield.

Mr. SMOOT. I will say to the Senator that I have read the report and also the bill, and as nearly as I can follow them it is exactly similar to the bill referred to by the Senator from Florida [Mr. FLETCHER]. I have no objection to the passage of the bill at this time.

Mr. KING. Mr. President, I should like to ask the Senator from Connecticut a question.

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the junior Senator from Utah?

Mr. BRANDEGEE. Certainly.

Mr. KING. I desire the Senator from Connecticut to explain wherein the bill differs from existing law, and whether exigencies have arisen, aside from such as might have been produced

by reason of the international convention, that would call for such an elaborate measure as this.

Mr. BRANDEGEE. Mr. President, the bill is the result of hearings before the Committee on Commerce and the Committee on Patents in the Senate and the Committee on Patents in the House of Representatives. I have not gone into it exhaustively, as to the changes it proposes in existing law, because the bill has been passed by both branches of Congress. The meeting of the Senate committee on the bill was attended by the Senator from Pennsylvania [Mr. KNOX] and the Senator from Minnesota [Mr. KELLOGG]; and Representative MERRITT, of the House of Representatives, appeared before the committee and explained the bill. The bill had received the approval of the Commissioner of Patents, and, I am free to say, that except that it is to enforce an international convention, I assume it is not so much a change in the existing law as a new provision of law. I was going to ask, Mr. President, that House report No. 411 may be printed in the Record, unless the Senator from Utah desires that it shall be read.

Mr. KING. No.

Mr. BRANDEGEE. And that House report No. 1090, Sixty-fifth Congress, third session, be also printed in the Record. Report No. 411 contains a letter from the junior Senator from Virginia [Mr. GLASS], who was at the time it was written the Secretary of the Treasury, fully endorsing the bill.

The PRESIDENT pro tempore. In the absence of objection, the reports referred to by the Senator from Connecticut will be printed in the Record.

The reports are as follows:

[House Report No. 411, Sixty-sixth Congress, first session.]

The Committee on Patents, to which was referred H. R. 9023, a bill to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, reports the bill to the House with a recommendation that the bill do pass.

Hearings were held on this measure on October 15, at which time there appeared before the committee Hon. James T. Newton, United States Commissioner of Patents; Mr. C. E. McGuire, assistant secretary general, International High Commission; Mr. Thomas P. Robinson, representing the American Patent Law Association; and Mr. Chauncey P. Carter, Washington, D. C., all urging the passage of this bill.

The purpose of this legislation is to give effect between the convention of the United States and the Central and South American States and Cuba for the protection of trade-marks. This convention was signed in Buenos Aires August 20, 1910, and ratified by the Senate February 8, 1911.

An international bureau which will act for the northern States of South America and for the United States has been established in Habana, pursuant to the convention, but is unable to deal with the United States in the absence of specific statute giving the requisite authority to the Commissioner of Patents. South American States which subscribed to the convention are awaiting action by Congress on the pending bill.

A statement from the Secretary of the Treasury, Hon. Carter Glass, concerning the convention and its purposes is herewith attached:

TREASURY DEPARTMENT,  
Washington, October 14, 1919.

Hon. JOHN I. NOLAN,  
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: I understand that the Committee on Patents is about to consider House bill 9023, permitting the Commissioner of Patents to open a register for marks transmitted by the International Trade-Mark Registration Bureau at Habana as duly registered there. I trust that the committee will see its way clear to recommend the passage of this bill, which will enable the Commissioner of Patents to record in the appropriate way and with proper legal sanction the receipt of the official notice from Habana that marks there deposited have been given the full effect of the international convention.

The International Trade-Mark Registration Bureau has already begun actively to function, and we have every reason to believe that it will render genuine and substantial purpose to the manufacturers and exporters of the United States.

No hesitancy has been observed on our part in appropriating the quota of the United States toward the expense of the bureau in its initial year, and we ought not, therefore, to refrain from taking any other steps necessary to give full effect to the convention. In future years the bureau will be practically self-supporting and will be a source of satisfaction to all of those interested in closer commercial and financial relations between the American Republics.

I am, my dear Mr. Chairman,

Yours, sincerely,

CARTER GLASS, Secretary.

The Committee on Patents reports the bill unanimously with a favorable recommendation for its passage.

This country will have failed to carry out its part of the convention unless this legislation is enacted.

[House Report No. 1090, Sixty-fifth Congress, third session.]

The Committee on Patents, to whom was referred Senate bill 4889, reports the bill back to the House with a recommendation that the bill do pass.

The purpose of this legislation is to give effect to the convention between the United States and South American States for the protection of trade-marks. This convention was signed in Buenos Aires August 20, 1910, and ratified by the United States Senate February 8, 1911.

An international bureau which will act for the northern States of South America and for the United States has been established in

Habana, pursuant to the convention, but is unable to deal with the United States in the absence of specific statute giving the requisite authority to the Commissioner of Patents. South American States which subscribed to the convention are awaiting action by Congress on the pending bill.

A statement from the Treasury Department concerning the convention and its purposes is as follows:

TREASURY DEPARTMENT,  
OFFICE OF THE SECRETARY,  
Washington, July 2, 1918.

MY DEAR SENATOR FLETCHER: I learn with much pleasure of the introduction of a bill seeking to execute the convention concerning trade-marks signed at Buenos Aires on August 20, 1910, and ratified by the United States in the following session of Congress. The fundamental principle of the protection of prior use rather than of mere formal priority of registration is assured to the merchants and manufacturers of those Republics of America that have ratified this convention. It is to be hoped that in a relatively short time all the Republics will have so acted; to date the convention has been ratified by the United States, Cuba, Dominican Republic, Guatemala, Honduras, Nicaragua, Panama, Costa Rica, Brazil, Ecuador, Paraguay, and Bolivia.

After a number of attempts the American Republics arrived at a simple but effective statement of this principle in the convention adopted in 1910. The convention provides for two international trade-mark registration bureaus—one at Habana, which will receive applications for registration from the countries of North and Central America and the West Indies, and one at Rio de Janeiro, which will receive applications for registration from the countries of South America. The two bureaus are intended to exchange each week statements of the applications received and the registrations granted. The regulations concerning the procedure of application and registration will be prepared by two international bureaus with due care and after consultation with the trade-mark registration authorities of the participating countries.

After waiting several years, and in part I think we may fairly say, as a result of the deep interest in the protection of industrial and literary property taken by the International High Commission at its meeting in Buenos Aires in April, 1916, enough ratifications were secured in the northern group of countries to make possible the inauguration of the bureau destined to serve that group. His Excellency the President of Cuba, upon receiving official notice of this fact, was able in December last to establish the International Trade-mark Registration Bureau at Habana, appointing a well-known and competent trade-mark authority of Cuba as the first director general. In the time that has elapsed since his appointment, Dr. Mario Díaz Irizar, director general of the bureau, has vigorously taken steps to be in a position at a very early date to receive applications for registration. The bureau may now count upon a generous appropriation toward its initial expenses made by the Cuban Congress; and, what is more noteworthy, an ample appropriation for the erection of a permanent building upon a site donated by the Cuban Government. The respective quotas of the other countries of the northern group which have ratified the convention for the first year of the operation of the bureau can be readily settled as soon as Dr. Mario Díaz Irizar comes to Washington to consult the Department of State and the Patent Office.

The legislation, the enactment of which is now thought necessary, will enable the Commissioner of Patents fully to carry out the convention in the spirit in which it was formulated at the Fourth International Conference of American States in Buenos Aires in 1910. The power of preliminary examination is essential if the Patent Office is to have the right to refuse to grant registration (so far as the United States is concerned) of trade-marks registered in the international bureau, while provision is necessary for civil suits to prevent the use of false designations of origin, as well as for broader powers of cancellation of registration. The enactment of legislation of the character suggested—the result of long and careful study on the part of technical authorities in this special field—will enable the United States quickly to put into effect so far as depends upon the Government the provisions of the convention of 1910 and thus directly to promote the successful operation of the Habana bureau, in turn stimulating the further ratification of the convention by enough countries of South America to make possible the opening of the bureau at Rio de Janeiro. With that final step the protection of trade-marks and commercial names throughout this hemisphere will be put upon an enduring and effective basis.

I trust, my dear Senator FLETCHER, that your committee will consider this matter favorably, and I beg to remain,

Very sincerely, yours,

L. S. ROWE,

Acting Secretary of the Treasury and

Secretary General of the International High Commission.

Hon. DUNCAN U. FLETCHER,

United States Senate, Washington.

The United States will have failed to carry out its part of the convention until legislation is enacted in the direction herein recommended.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Patents with amendments.

Mr. BRANDEGEE. I ask that the amendments reported by the committee may be stated.

The PRESIDENT pro tempore. The Secretary will state the amendments.

The first amendment of the Committee on Patents was, in section 1, page 1, line 4, before the word "all," to insert "(a)"; and, on page 2, at the end of section 1, to add "(b) all other marks not registerable under the act of February 20, 1905, as amended, but which have been in bona fide use for not less than two years in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$10 has been paid and such formalities as required by the Commissioner of Patents have been complied with," so as to make the section read:

That the Commissioner of Patents shall keep a register of (a) all marks communicated to him by the international bureaus provided for by the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, in connection with which the fee of \$50 gold for the international registration established by article 2 of that convention has been paid, which register shall show a facsimile of the mark; the name and residence of the registrant; the number, date, and place of the first registration of the mark, including the date on which application for such registration was filed and the term of such registration, a list of goods to which the mark is applied as shown by the registration in the country of origin, and such other data as may be useful concerning the mark; (b) all other marks not registerable under the act of February 20, 1905, as amended, but which have been in bona fide use for not less than two years in interstate or foreign commerce, or commerce with the Indian tribes by the proprietor thereof, upon or in connection with any goods of such proprietor upon which a fee of \$10 has been paid and such formalities as required by the Commissioner of Patents have been complied with.

The amendment was agreed to.

The next amendment was, in section 6, page 4, line 2, to strike out "29" and insert in lieu thereof "28 (as to class (b) marks only)," so as to make the section read:

Sec. 6. That the provisions of sections 15, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, and 28 (as to class (b) marks only) of the act approved February 20, 1905, entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States, or with Indian tribes, and to protect the same," as amended to date, are hereby made applicable to marks placed on the register provided for by section 1 of this act.

The amendment was agreed to.

The next amendment was to insert at the end of the bill a new section, as follows:

That section 5 of the trade-mark act of February 20, 1905, being Thirty-third Statutes at Large, page 725, as amended by Thirty-fourth Statutes at Large, page 1251; Thirty-sixth Statutes at Large, page 918; Thirty-seventh Statutes at Large, page 649, is hereby amended by adding the following words thereto: "And if any person or corporation shall have so registered a mark upon the ground of said use of 10 years preceding February 20, 1905, as to certain articles or classes of articles to which said mark shall have been applied for said period, and shall have thereafter and subsequently extended his business so as to include other articles not manufactured by said applicant for 10 years next preceding February 20, 1905, nothing herein shall prevent the registration of said trade-mark in the additional classes to which said new additional articles manufactured by said person or corporation shall apply, after said trade-mark has been used on said article in interstate or foreign commerce or with the Indian tribes for at least two years."

Mr. BRANDEGEE. Mr. President, I wish to say for the information of the junior Senator from Utah [Mr. KING] that the last amendment is a copy of a bill introduced in the other House by Representative MERRITT, and known as House bill 7157, House Calendar No. 141. The House Committee on Patents, the Commissioner of Patents concurring, suggested that if this bill could be placed as an amendment to the Nolan bill, House bill 9023, it would be desirable, and the House conferees would probably agree to it.

The bill now offered as an amendment has been favorably reported by the House Committee on Patents. Its object is this: During the war many of our great manufacturing plants were tremendously enlarged for war orders. There is one company in my State, the Winchester Repeating Arms Co., which employs 20,000 hands now in the city of New Haven. It multiplied its facilities by ten in order to furnish arms for the Government. That plant must go out of business or adapt itself to the condition of peace and must manufacture something else. They have gone into the manufacture of skates and other hardware appliances, mostly sporting goods. The name "Winchester" is trade-marked. There is now no way in which they can protect themselves in foreign countries. They make a skate which is called the "Winchester skate." This bill provides that, if they continue to use that name in foreign countries for two years, they may file their trade-mark on the Winchester skates, as well as on repeating arms. A similar condition has arisen in the case of many other articles.

The situation now is this: Take, for instance, the case of automobiles; a "shark" in Cuba, say, or in some other country, files an application for a trade-mark of the name "Packard," or "Simplex," or "Pierce Arrow," and gets a trade-mark. The result is that none of our automobiles of those names can be exported and landed in those countries under their laws without paying tribute to the shark who has trade-marked the names, although he has done so without the knowledge or consent of the manufacturers of the article. This proposed legislation is designed to correct that evil, so that the manufacturer here may trade-mark the name of his own product if he has used it in foreign commerce for two years. The bill is designed to relieve the situation I have described. Both the House and the Senate committee were unanimously of the opinion that it was a meritorious measure; and we wanted to facilitate the legislation by adding it as an amendment to the pending bill.

Mr. SMOOT. Do I understand the Senator to mean that in all foreign countries a trade-mark is issued without there be-

ing any requirement as to the use of the trade-mark within a given time?

Mr. BRANDEGEE. That is true in some countries, and it was thought if we could get this legislation attached to the pending bill providing for carrying out the convention of Buenos Aires, it would facilitate the protection of our manufacturers. There was no objection voiced to it.

Mr. SMOOT. I do not see why there should be a requirement of two years.

Mr. BRANDEGEE. As to that, the Commissioner of Patents said he thought one year, perhaps, would be enough.

Mr. SMOOT. I think one year would be ample.

Mr. BRANDEGEE. The only reason we did not reduce it to one year was that it would throw the matter into conference, and we were not asked to reduce it from two years to one.

Mr. SMOOT. The committee having reported other amendments which have gone into the bill, an amendment to the amendment, which he has now presented, would not change the situation, for the bill would have to go to conference in any event.

Mr. BRANDEGEE. I should just as lief reduce it to one year.

Mr. SMOOT. I move to strike out "two years" and insert "one year." I can not see why any American manufacturer should be compelled to send his goods into a foreign market for two years before this law applies to his goods.

Mr. BRANDEGEE. Neither can I see why that should be required. It was the opinion of the committee that the period should be reduced to one year, but they thought that an amendment would carry it into conference. As the Senator from Utah has suggested, however, probably the other amendments will take it into conference in any event. So far as I can do so, I accept the amendment striking out the "two years" and inserting "one year."

Mr. FLETCHER. Mr. President, I agree with the Senator from Utah that it is preferable to make the period one year. I do not see the use of any great length of time elapsing, and one year will certainly be ample enough to protect everybody.

The situation is as the Senator from Connecticut has indicated, not with reference to Cuba, because there is an international bureau now established at Habana in pursuance to other legislation and other conventions; but, with reference to Argentina, I am told, as an actual occurrence, that a merchant of Buenos Aires ordered a lot of goods from the United States which are shipped under a trade-mark. Under the laws of Argentina the "shark" to whom the Senator from Connecticut has referred can register that trade-mark even after that order is given and the goods are on the way, and when they arrive he can claim tribute. In one instance such an individual actually undertook to confiscate the American goods because they came under a trade-mark which he had registered and claimed as his own. This provision will obviate that sort of thing.

Mr. SMOOT. It is claimed there was an infringement upon his trade-mark.

Mr. FLETCHER. That is the claim made. I think this is very important legislation. I hope it will be enacted and that the amendment of the Senator from Utah will be agreed to, for I think it allows ample time for the use of the trade-mark.

Mr. BRANDEGEE. So far as I can I accept the amendment to the amendment.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The READING CLERK. In the amendment reported by the committee to add a new section, to be known as section 9, it is proposed to strike out the last two words of the section, "two years," and insert the words "one year."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### CIVILIAN EMPLOYEES AT LANGLEY, VA.

Mr. NEW. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 371, being the bill (S. 3516) to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the National Advisory Committee for Aeronautics, and for other purposes.

I think it will cause no discussion whatever. It is a very simple matter. If it causes any debate, I will withdraw the request.

Mr. FLETCHER. I suggest to the Senator that we finish the regular order. We are now, as I understand, under the

head of reports of committees, and then will come the introduction of bills. It will take but a little while for us to finish that order, and then we will see about the motion of the Senator from Indiana. I shall object until we get through with the morning's business.

Mr. NEW. Of course, if there is objection, I withdraw the request.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Objection is made.

#### ORDER OF BUSINESS.

Mr. HARRISON. I submit a resolution which I desire to have read, and I ask unanimous consent for its consideration.

Mr. FLETCHER. Mr. President—

Mr. HARRISON. I withhold the request until the Senator from Florida can offer the bill he desires to introduce.

Mr. FLETCHER. I was only asking that we proceed with the regular order. We are now under the head of reports of committees, and if there are no further reports of committees, the introduction of bills and joint resolutions is in order.

Mr. HARRISON. I understood that the order of reports of committees had been concluded.

Mr. FLETCHER. I wish to have the announcement made, that is all.

The PRESIDING OFFICER. The order of business under which we are operating now is reports of committees. The resolution of the Senator from Mississippi will be in order later. Are there any further reports of committees? If not, the introduction of bills and joint resolutions is in order.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KNOX:

A bill (S. 3945) relating to married women intermarried with aliens; to the Committee on the Judiciary.

By Mr. FLETCHER:

A bill (S. 3946) to establish and maintain a forest experiment station in the State of Florida; to the Committee on Agriculture and Forestry.

By Mr. JOHNSON of California (by request):

A bill (S. 3947) legalizing conveyances made by the Southern Pacific Railroad Co.; to the Committee on the Judiciary.

By Mr. SMOOT:

A bill (S. 3948) for the relief of the estate of John Scowcroft; to the Committee on Claims.

By Mr. WATSON:

A bill (S. 3949) for the relief of the estates of Helen P. Carson, deceased, and Elizabeth Campbell, deceased; to the Committee on Claims.

#### ARMY REORGANIZATION.

Mr. RANSDALL. I submit an amendment intended to be proposed by me to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, to insert on page 20, line 5, after the words "major general," the words "two Assistant Chiefs of Engineers with the rank of brigadier general." I move that the amendment be printed and lie on the table.

The motion was agreed to.

#### IMPORTATION OF COAL-TAR PRODUCTS.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," which was ordered to lie on the table and be printed.

#### AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. McNARY submitted an amendment proposing to appropriate \$60,000 to enable the Secretary of Agriculture to cooperate with the War Department in the maintenance of an air patrol for fire prevention or suppression in the national forests of the Pacific coast, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

#### MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE ESTOPINAL.

Mr. RANSDALL. Mr. President, I ask unanimous consent that the Senate shall convene on Sunday, March 7, at 12 o'clock meridian, to consider resolutions in commemoration of the life, character, and public services of the late Representative from Louisiana, Hon. ALBERT ESTOPINAL.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

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VOLUME LIX—PART 4

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ment had and agreed to under the provisions of section 9 of this act, shall, upon the presentation of a duly authenticated copy thereof, be paid by the proper accounting officers of the United States out of any appropriation or insurance fund or other fund especially available therefor; otherwise there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, a sum sufficient to pay any such judgment or award or settlement.

"Sec. 9. That the Secretary of any department of the Government of the United States, or the United States Shipping Board, or the board of trustees of such corporation, having control of the possession or operation of any merchant vessel are, and each hereby is, authorized to arbitrate, compromise, or settle any claim in which suit will lie under the provisions of sections 2, 4, 7, and 10 of this act.

"Sec. 10. That the United States, and the crew of any merchant vessel owned or operated by the United States, or such corporation, shall have the right to collect and sue for salvage services rendered by such vessel and crew, and any moneys recovered therefrom by the United States for its own benefit, and not for the benefit of the crew, shall be covered into the United States Treasury to the credit of the department of the Government of the United States, or of the United States Shipping Board, or of such corporation, having control of the possession or operation of such vessel.

"Sec. 11. That all moneys recovered in any suit brought by the United States on any cause of action arising from, or in connection with, the possession, operation, or ownership of any merchant vessel, or the possession, carriage, or ownership of any cargo, shall be covered into the United States Treasury to the credit of the department of the Government of the United States, or of the United States Shipping Board, or of such aforesaid corporation, having control of the vessel or cargo with respect to which such cause of action arises, for reimbursement of the appropriation, or insurance fund, or other funds, from which the loss, damage, or compensation for which said judgment was recovered has been or will be paid.

"Sec. 12. That the Attorney General shall report to the Congress at each session thereof the suits under this act in which final judgment shall have been rendered for or against the United States and such aforesaid corporation, and the secretary of any department of the Government of the United States, and the United States Shipping Board, and the board of trustees of any such aforesaid corporation, shall likewise report the arbitration awards or settlements of claims which shall have been agreed to since the previous session, and in which the time to appeal shall have expired or have been waived.

"Sec. 13. That the provisions of all other acts inconsistent herewith are hereby repealed."

And the House agree to the same.

W. L. JONES,  
F. M. SIMMONS,  
CHAS. L. McNARY,

*Managers on the part of the Senate.*

A. J. VOLSTEAD,  
DICK T. MORGAN,  
RICHARD S. WHALEY,

*Managers on the part of the House.*

#### SALE OF SHIPS.

Mr. JONES of Washington. I ask unanimous consent for the present consideration of a Senate resolution calling on the Secretary of the Navy for certain information with reference to the sale of ships. The urgency of it is that I understand the sale of these ships is now being carried on.

There being no objection, the resolution (S. Res. 312) was read, considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Secretary of the Navy be directed to furnish the Senate the following information:

First. The names, tonnage, and age of all ships registered or documented or registered and documented under the laws of the United States which have been sold by the Navy Department during the last five years or which it now contemplates selling.

Second. Whether or not any condition has been or will be attached to the sale of these ships prohibiting their transfer to a foreign flag.

Third. What investigation is made or has been made to ascertain whether or not the bidders for or purchasers of these ships are American citizens and whether or not they intend to keep these ships under the American flag.

Fourth. The sum for which sold or the amount of bids received but not acted upon.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 24, 1920, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

MONDAY, February 23, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Profoundly do we realize, our Father in heaven, the fact that truth is stranger than fiction—illustrated in the lives whom Thou hast raised up, in the world's history, to fulfill Thy behests, especially the life, character, and illustrious deeds of our Washington.

Born a pioneer in the making of a great Republic, by dint of his own efforts he became the greatest American of his age. A warrior, a statesman, a Christian, he lives in the hearts of all true men, and we delight in calling him "The Father of his Country."

Brave in war, gentle in peace, a profound hero, his name lives and will be uttered on the lips of millions to-day. His deeds live an immortal testimony of his mental, moral, and religious conceptions.

God grant that his heroic life, heroic character, and heroic deeds may live so long as the stars shine in the firmament; and to the King eternal, immortal, invisible, be honor and glory forever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### CALL OF THE HOUSE.

The SPEAKER. By special order of the House to-day the gentleman from Illinois [Mr. RODENBERG] will read Washington's Farewell Address.

Mr. GARD. Mr. Speaker, I think we should have a quorum to hear these special exercises to-day. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. It is clear that there is no quorum present.

Mr. WALSH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Dewalt	Johnson, Wash.	Riordan
Bacharach	Dominick	Johnston, N. Y.	Rowan
Baer	Dooling	Kahn	Rowe
Begg	Doremus	Kearns	Rucker
Benson	Eagan	Kelley, Mich.	Sanders, Ind.
Blackmon	Eagle	Kelly, Pa.	Schall
Booher	Edmonds	Kennedy, Iowa	Scully
Britten	Ellsworth	Kiess	Sears
Brooks, Pa.	Emerson	Kreider	Seigel
Burke	Evans, Mont.	Langley	Sinclair
Cantrill	Ferris	Larsen	Sisson
Caraway	Fess	Leshner	Slemp
Chrew	Fields	Loneragan	Smith, Ill.
Christopherson	Foster	McCulloch	Smith, N. Y.
Clark, Fla.	French	McFadden	Snell
Clark, Mo.	Gallivan	McGlennon	Snyder
Classon	Gandy	Maher	Stegall
Cole	Godwin, N. C.	Mana, S. C.	Steele
Cooper	Goldfogle	Mead	Stephens, Ohio
Copley	Goodall	Montague	Stoff
Costello	Gould	Moore, Ohio	Sullivan
Cramton	Graham, Pa.	Morin	Summers, Wash.
Crowther	Graham, Ill.	Nichols, Mich.	Summers, Tex.
Cullen	Griest	O'Connell	Tague
Currie, Mich.	Hamill	O'Connor	Vinson
Curry, Calif.	Holland	Porter	Webster
Dallinger	Hudspeth	Purnell	Woods, Va.
Darrow	Husted	Reber	Yates
Davey	Jefferis	Reed, N. Y.	
Dent	Johnson, S. Dak.	Riddick	

The SPEAKER. Three hundred and ten Members are present, a quorum.

Mr. WALSH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. Under the special order of to-day Washington's Farewell Address will be read by the gentleman from Illinois [Mr. RODENBERG]. [Applause.]

#### WASHINGTON'S FAREWELL ADDRESS.

Mr. RODENBERG read as follows:

*To the people of the United States.*

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when

many of you gentlemen say you are—with the idea, I have no objection. But when your committee considered the matter we did feel that it was the beginning of a great extravagance, and we felt it to be our duty to take the action we did, and we did take it and were sustained by the committee.

For more than a century this Congress has done its business without these luxuries. It now seems that everyone in public office wants the office and when elected wants the people to pay some one else to do the work they told their constituents that they were qualified to do and that they say they want to do. When elected they then employ some one else to perform the service and thus the people pay two men instead of one. Every officer in high place now seems to want office for the salary and honor there is in it and wants some one else to do the work. Now, this House can turn this committee down on this item. You have the power. When you do, then prepare in all the departments to employ some one to do the work for the officials. Such conduct is indefensible. I can not consent to it.

Mr. WOOD of Indiana. Mr. Chairman, I move that all debate on the paragraph and amendments thereto now close.

Mr. JONES of Texas. Mr. Chairman, I move to amend by making it 5 minutes.

Mr. TREADWAY. Mr. Chairman, if anybody is going to get time, let us all have time.

The CHAIRMAN. The question is on the motion of the gentleman from Indiana that all debate on the paragraph and amendments thereto be closed.

The question was taken; and on a division (demanded by Mr. McARTHUR) there were 126 ayes and 9 noes.

So the motion was agreed to.

Mr. JONES of Texas. Mr. Chairman, I offered an amendment to the gentleman's motion to close debate in 5 minutes. My motion was not put.

The CHAIRMAN. The Chair did not understand the gentleman to make a motion of that kind. The Chair regrets it.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record on this paragraph.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the Record on the paragraph. Is there objection?

Mr. McARTHUR. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question was taken; and on a division (demanded by Mr. BLANTON) there were 120 ayes and 11 noes.

So the amendment was agreed to:

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GREEN of Iowa having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had passed joint resolution (S. J. Res. 148) authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior years, and for other purposes, in which the concurrence of the House of Representatives was requested.

#### LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Porto Rico, and the Resident Commissioners from the Philippine Islands, \$3,304,500.

Mr. JONES of Texas. Mr. Chairman, I move to strike out the last word. I sought to get time to discuss the amendment which has just passed. I do not ask often for time of the House, but I did want to submit a few remarks in connection with that amendment. I concede that the use of experts is probably necessary under the present system of legislation in this House, where most of the important legislation is conducted by a few committees, and where most of the committees have nothing to do. There are 435 Members of this House and more than 50 committees. If the jurisdiction of the legislation that comes before the House were distributed among all of these committees then the particular committee having in

charge a bill in which it was proposed to change legislation could have time to consider that legislation, and I do not believe the assistance of experts would be necessary. As it is at the present time there are some four or five committees that do most of the legislating for this House.

Consequently there is an effort upon the part of every experienced Member to get on one of those committees. The result is that those committees become overworked and they have not the time to devote to the individual items or sentences or provisions of the various measures that come before them. Perhaps under such circumstances the advice of an expert is necessary. If you would distribute the legislation throughout the different committees, 40 or 50 of them, each with some legislation to consider, then we could spend weeks investigating and thoroughly considering any important measure. I believe if this change were made that among the 435 Members of the House there are plenty of men who would have ability to properly draft the legislation and consider it.

On Saturday last a measure was presented to this House. I have nothing to say against the committee which presented it. I think some of the best Members of the House are on that committee, and some of the best work done in the House is done by that committee. I suppose there is hardly a Member in the House who would not like to be a member of the Committee on Interstate and Foreign Commerce. But there was practically no debate upon the bill and practically no debate upon the conference report, largely because the committee was overworked and was unable to get the bill in here until the last moment. If that committee had been broken up into three or four committees, or its jurisdiction had been more limited, they could have gone to work upon the railroad bill exclusively last spring, and had it in here three or four months ago, when there could have been thorough discussion and consideration, and I think that would have been far better.

Mr. MONDELL rose.

The CHAIRMAN. For what purpose does the gentleman from Wyoming rise?

Mr. MONDELL. Mr. Chairman, the gentleman is not discussing any matter before the committee. He can make his apologies for his vote on Saturday last at any time, but he ought not to take up the time of the House in the consideration of this bill in doing it.

Mr. JONES of Texas. Mr. Chairman, I resent the gentleman's suggestion that I have any apology to make for my vote of Saturday. I have no apology, as I voted right.

Mr. MONDELL. The gentleman has been making it.

Mr. JONES of Texas. We are away ahead of the Senate with our work of legislation, and I do not see why the distinguished leader of the majority wants to take the position that we can not discuss these matters, for they are important matters. It is true the pending amendment has already been agreed to, but it will be voted on again when it is reported to the House.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. McLAUGHLIN of Michigan. Mr. Chairman, reserving the right to object—

Mr. MONDELL. Mr. Chairman, I shall have to object. We have been all day on one paragraph.

Mr. BLANTON. Mr. Chairman, the gentleman from Wyoming would hear something good if he would not object.

Mr. McARTHUR. Mr. Chairman, the item now before the committee is one that deals with the salaries of Members of Congress. I regret exceedingly that it is not possible in this measure to increase the compensation of Members. I realize that it is not, because legislation along that line is not in order under the rules of the House. There are many men in this body who, if they devoted the same amount of time and energy to their professions and business in which they were engaged before they came here, would make a great deal more money than they do now. A condition has grown up here, particularly since the war, and the consequent high cost of living, that makes it almost impossible for a man to serve in either branch of Congress unless he has an independent income outside of his salary. I challenge any man within the sound of my voice to dispute that proposition.

Our \$7,500 is not a very large salary for an office of the importance of a Member of Congress, and I would like to see the salary raised at least to a decent living wage. The cost of living here in Washington is very high—higher than it is in most of our home cities. I submit, Mr. Chairman, in all seriousness, that the present salary of a Member of Congress is not sufficient for the office which he fills, and I would like to see that



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1875. Also, resolution adopted by the Salinas Chamber of Commerce, Calif., indorsing the establishment of a naval base on the Pacific coast; to the Committee on Naval Affairs.

1876. Also, letter from the California Redwood Association, urging the giving of an appropriation of \$500,000 for the purpose of carrying on the work of the Forest Products Laboratories; to the Committee on Agriculture.

1877. Also, petition of Franklin Holbrook, of Yreka, Calif., protesting against the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1878. By Mr. SINCLAIR: Petition of the William G. Carroll Post, No. 26, Minot, N. Dak., favoring the passage of House bill 11553; to the Committee on Military Affairs.

1879. Also, petition of Local Union 336, International Union of United Brewery, Flour, Cereal, and Soft Drink Workers, Jamestown, N. Dak., condemning and protesting against the so-called sedition legislation, on the ground that it would "undermine the very foundations of our democracy," and might prevent the lawful and legitimate organization and functioning of labor unions; to the Committee on the Judiciary.

1880. By Mr. STEENERSON: Petition of Alfred Peterson and Gust Munter, of Fosston, Minn., against compulsory military training; to the Committee on Military Affairs.

1881. By Mr. TAGUE: Petition of the New England Water Works Association, favoring certain provisions in the Jones-Reavis bill; to the Committee on Labor.

1882. Also, petition of the Merchants' Association of New York, protesting against certain provisions in House bill 12610; to the Committee on Appropriations.

## SENATE.

THURSDAY, February 26, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we are ever petitioners before Thee. We come into Thy presence with no complaint but rather with the joy of being unsatisfied. The new day calls us to the larger service. The world lies plastic in our hands to be shaped and molded and to give direction to the affairs of men. Oh, give us a consciousness of the grave responsibility of this hour.

We unite our hearts in praying Thy blessing upon the Vice President of the United States, into whose home there has come to-day a great sorrow. We know him not only as a statesman and companion of men but as a lover of little children. Thou didst give to him a child upon whom he showered the wealth of his life. Grant, we pray, that he may have the satisfaction of knowing that God approves of the tenderness and care that he and his good wife have given to a little child. May he feel that abounding impulse of greatness which comes from the teaching of the Master, who sat a little child in the midst of them and said, "Except ye be converted and become as little children, ye shall not enter into the kingdom of heaven."

Oh, grant us all to follow greatness in humility and in reverence and in trust. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Goodhue, one of its clerks, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. NOLAN, Mr. LAMPERT, and Mr. CAMPBELL of Pennsylvania managers at the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8819) to amend the Army appropriation act for 1920, and for the purchase of land and to provide for construction work at certain military posts, and for other purposes, and it was thereupon signed by the President pro tempore.

### CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Edge	Lenroot	Poindexter
Ball	Elkins	Lodge	Sheppard
Brandegee	Gay	McLean	Smoot
Calder	Hale	McNary	Spencer
Capper	Hitchcock	Nelson	Sterling
Chamberlain	Jones, Wash.	New	Thomas
Colt	Kellogg	Norris	Trammell
Cummins	Kenyon	Nugent	Wadsworth
Curtis	Keyes	Page	Warren
Dial	Kirby	Phipps	Watson
Dillingham	Knox	Pittman	Wolcott

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness. I ask that this announcement may continue for the day.

The PRESIDENT pro tempore. Forty-four Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. CULBERSON, Mr. HARRISON, Mr. JONES of New Mexico, Mr. RANSDALL, and Mr. SMITH of Georgia answered to their names when called.

Mr. POMERENE, Mr. HARRIS, Mr. WALSH of Montana, Mr. KING, Mr. FRELINGHUYSEN, Mr. GRONNA, and Mr. HENDERSON entered the Chamber and answered to their names.

Mr. GRONNA. I was requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness.

Mr. CURTIS. I have been requested to announce the necessary absence of the Senator from Michigan [Mr. TOWNSEND]. He is paired with the Senator from Arkansas [Mr. ROBINSON].

Mr. MCKELLAR. The Senator from Virginia [Mr. GLASS], the Senator from Alabama [Mr. UNDERWOOD], the Senator from South Dakota [Mr. JOHNSON], and the Senator from California [Mr. PHELAN] are absent on official business.

The Senator from Virginia [Mr. SWANSON] is detained by illness in his family, and the Senator from Massachusetts [Mr. WALSH] is detained by the illness of a member of his family.

The Senator from Rhode Island [Mr. GERRY] is detained at home by illness.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present.

### POWERS OF FUEL ADMINISTRATOR (S. DOC. NO. 235).

The PRESIDENT pro tempore laid before the Senate a communication from the Director General of Railroads, transmitting, in response to a resolution of the 10th instant, certain information relative to the shipment, distribution, apportionment, and storage of coal and coke, etc., which, with the accompanying papers, was referred to the Committee on Interstate Commerce and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. CURTIS presented memorials of sundry citizens of Moundridge, Mound City, and Kiowa County, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

He also presented petitions of Clarence Lieurance Post No. 2, American Legion, of Neosho Falls; of Algy Doty Post No. 3, American Legion, of Humboldt; and of Aaron A. Platner Post No. 1, American Legion, of Ellis, all in the State of Kansas, praying for the enactment of legislation providing for a \$50 bonus to ex-service men for each month of service, which were referred to the Committee on Military Affairs.

He also presented a memorial of Local Lodge No. 331, Brotherhood of Railway and Steamship Clerks, of Atchison, Kans., remonstrating against the passage of the so-called Sterling-Graham sedition bill, which was ordered to lie on the table.

He also presented a petition of the Arkansas City Club of American Association of Engineers, of Kansas, praying for the passage of the so-called Townsend highway bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Association of Mississippi Valley States Highway Departments, at a meeting held in Chicago, Ill., favoring the continuance of the present plan of cooperation between the Federal Government and the States in the building of roads, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of sundry citizens of Wichita, Kans., praying for the enactment of legislation providing for

that commands them to obey such laws? We can at least remind ourselves of what Washington would say. You remember his favorite maxim, "thorough." We must be thorough with these men, and we must not yield one single inch to their insulting and imperious demands. We must put ourselves upon the right road, and then we must go along that road to the very end no matter who stands in the way. We must not be cowed by capital nor bulldozed by labor, and we must be sure that we are right before we go ahead. "The people mean right, and in the end they will have the right." "You can't fool all the people all the time, but you can fool a part of the people all of the time, and you can fool all of the people some of the time," as Lincoln said.

"It is not a misfortune for liberty that the people have such questions to face and to decide. On the contrary, that is the very condition upon which free government exists. As Wendell Phillips said:

"If the Alps, piled in cold and still sublimity, be the emblem of despotism, the ever-restless ocean is ours, which, girt within the eternal laws of gravitation, is pure only because never still."

#### PROTECTION OF TRADE-MARKS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BRANDEGEE. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. NORRIS, Mr. BRANDEGEE, and Mr. KIRBY conferees on the part of the Senate.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On February 25, 1920:

S. 2775. An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain.

On February 26, 1920:

S. 796. An act for furnishing water supply for miscellaneous purposes in connection with reclamation projects.

S. 2454. An act for the relief of certain members of the Flat-head Nation of Indians, and for other purposes.

#### TREATY OF PEACE WITH GERMANY.

The PRESIDENT pro tempore. Morning business is closed.

Mr. LODGE. Mr. President, I move that the Senate, as in open executive session, proceed to the consideration of the treaty of peace with Germany.

The motion was agreed to; and the Senate, as in Committee of the Whole and as in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. NORRIS. Mr. President—

The PRESIDENT pro tempore. The Senator from Nebraska.

Mr. LODGE. I have not yielded the floor, Mr. President. I desired, if I could have the opportunity, to make the point of no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	France	Kirby	Pomerene
Ball	Frelinghuysen	Knox	Ransdell
Beckham	Gay	Lenroot	Reed
Borah	Gronna	Lodge	Sheppard
Brandegge	Hale	McKellar	Smith, Ga.
Caldor	Harris	McLean	Smoot
Capper	Harrison	McNary	Spencer
Chamberlain	Henderson	Moses	Sterling
Colt	Hitchcock	Nelson	Thomas
Culberson	Jones, N. Mex.	New	Trammell
Cummins	Jones, Wash.	Norris	Wadsworth
Curtis	Kellogg	Nugent	Walsh, Mont.
Dial	Kendrick	Page	Warren
Edge	Kenyon	Phipps	Watson
Elkins	Keys	Pittman	Williams
Fletcher	King	Poindexter	Wolcott

The PRESIDENT pro tempore. Sixty-four Senators have answered to their names. There is a quorum present.

Mr. LODGE. Mr. President, the next reservation in order is reservation No. 2, known as the reservation to article 10. Everyone is aware that that is the point of special controversy, and I think it will facilitate the consideration of the treaty to

pass over that reservation until the other suggested amendments and reservations have been disposed of. I therefore move that the second reservation be passed over until action has been taken upon the other reservations which have been reported.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the second reservation be passed over. Is there objection?

Mr. LODGE. I did not ask unanimous consent; I made the motion that the second reservation be passed over.

The PRESIDENT pro tempore. The Chair misunderstood the Senator from Massachusetts. The question is on the motion of the Senator from Massachusetts that the second reservation be passed over until the other reservations have been disposed of.

Mr. KNOX. Mr. President, I should like to inquire of the Senator from Massachusetts why he thinks it would facilitate the disposal of the treaty to pass over the second reservation?

Mr. LODGE. Because before we dispose of the second reservation I should like to know what disposition is to be made of the other reservations. The second reservation is the one as to which the principal controversy has arisen.

Mr. KNOX. I so understood the Senator; but I ask why does he think it would facilitate the disposition of the other phases of the treaty to pass over the second reservation?

Mr. LODGE. I think that we could in that way get through with the others more quickly.

Mr. KNOX. If we take up the crucial question of the treaty and can not get beyond that, will it not make for expedition to consider that first?

Mr. LODGE. I think not; I think all the others will have to be taken up in any event.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts that the second reservation be passed over until the other reservations have been disposed of.

The motion was agreed to.

Mr. REED obtained the floor.

Mr. FRANCE. Mr. President—

Mr. REED. I understand the Senator from Maryland desires the floor for a few moments, and, if there is no objection, I will yield to him.

Mr. FRANCE. Mr. President, I ask unanimous consent at this point to introduce a joint resolution which I would have presented during the morning hour. I ask to have the joint resolution printed in the RECORD and referred to the Committee on Foreign Relations; and in that connection I desire to say a few words, if the Senator from Missouri will yield. I shall not take much of his time, because I know that he can plead the great cause of the preservation of our liberties and the promotion of the welfare of the world better than can I.

The PRESIDENT pro tempore. Does the Senator from Maryland desire the joint resolution read?

Mr. FRANCE. I desire to have it printed in the RECORD without reading.

The PRESIDENT pro tempore. It will be so ordered, without objection.

The joint resolution (S. J. Res. 163) providing for the reestablishment of peace and the calling of an international conference to institute a concert of nations to advise concerning international cooperation as a substitute for the League of Nations, and for a national referendum, was read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Joint resolution (S. J. Res. 163) providing for the reestablishment of peace and the calling of an international conference to institute a concert of nations to advise concerning international cooperation as a substitute for the League of Nations, and for a national referendum.

Whereas on the 11th day of November, 1918, the President of the United States announced the signing of an armistice between the United States and the powers with which the United States had been at war, the President at that time declaring "the war thus comes to an end"; and

Whereas it is most desirable that there shall be a prompt termination of the status of war by the formal legal reestablishment of peace between the United States and Germany; and

Whereas the peace treaty has failed to receive the advice and consent of two-thirds of the Senate, one of the reasons for the negative action being that more than one-third of the Senate hold that the covenant of the League of Nations incorporated in said treaty, if adopted by the United States, would contravene its fundamental principles, as declared in the Declaration of Independence, by subjecting the external relations of the United States to the control of a foreign body not recognizing these principles, would violate the Constitution by attempting to change the form of government of the United States without a constitutional amendment, and would ignore and tend to destroy the right of States under the law of nations to defend themselves and to extend civilization in behalf of all civilized nations by means of war when other means are possible; and

# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE  
SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES  
OF AMERICA

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VOLUME LIX—PART 4

FEBRUARY 21 TO MARCH 13, 1920

(Pages 3219-4316)



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1920

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Mr. SMITH of Georgia. No; I am not ready to vote. I do not wish a vote until we may have an opportunity for agreement on a reservation which may aid ratification of the treaty.

Mr. HITCHCOCK. Mr. President, I do not like to have the Senator from Georgia take the position—

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. I yield to the Senator.

Mr. LODGE. If the Senators on the other side desire to debate this matter still further, as it is now half past 5 o'clock, if the Senator will yield to me I will make a motion to adjourn.

Mr. SMITH of Georgia. I yield.

Mr. LODGE. I move that the Senate, as in legislative session, adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 27, 1920, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

THURSDAY, February 26, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father Almighty, inspire us with a profounder faith in Thee, that we may lay hold of life and its eternal values and prosecute the work Thou hast given us to do with new energy and zeal, thus fulfilling Thy purposes and satisfying our own consciences. "For the wages of sin is death; but the gift of God is eternal life through Jesus Christ our Lord." Amen.

The Journal of the proceedings of yesterday was read and approved.

### TRADE-MARKS AND COMMERCIAL NAMES.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trademarks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 10, 1910; and for other purposes, and to disagree to all the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from California asks unanimous consent to take from the Speaker's table a bill which the Clerk will report, disagree to all the Senate amendments, and ask for a conference.

The Senate amendments were read.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. NOLAN, Mr. LAMPERT, and Mr. CAMPBELL of Pennsylvania.

### LEGISLATION RELATING TO SOLDIERS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report, which the Clerk will report.

The Clerk read as follows:

House resolution 470.

Resolved, That for the remainder of the second session of the Sixty-sixth Congress all proposed legislation relating to those who served in the World War (other than those of the Regular Establishment), excepting, however, legislation based on and relating to disability incurred in the service, shall be referred to the Committee on Ways and Means, and the Speaker is hereby authorized to make reference of bills heretofore introduced in accordance with the terms of this resolution.

Mr. CAMPBELL of Kansas. Mr. Speaker, the purpose of this resolution is to send to the Ways and Means Committee all bills heretofore introduced or that may hereafter be introduced relating to the soldiers who served in the World War, excepting legislation relating to disability.

Mr. POU. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. POU. I should like to ascertain from the gentleman if we can have some arrangement as to time.

Mr. CAMPBELL of Kansas. I think I shall make a brief statement and then move the previous question on the resolution.

Mr. POU. Does the gentleman mean—

Mr. CAMPBELL of Kansas. The purpose is—

Mr. RAYBURN. Will the gentleman yield?

Mr. CAMPBELL of Kansas. After I have made a brief statement.

Mr. RAYBURN. Is the gentleman going to move the previous question immediately on making his statement?

Mr. CAMPBELL of Kansas. Yes; I think I shall.

Mr. POU. That cuts off all opportunity for debate.

Mr. CAMPBELL of Kansas. I will yield to the gentleman for a question after I have made my statement. The purpose of this legislation—

Mr. POU. Does the gentleman, my colleague on this committee, mean to tell us that his purpose is to cut off debate on this resolution?

Mr. CAMPBELL of Kansas. After the brief statement that I wish to make.

Mr. KINCHELOE. If the gentleman is going to do that, I will make the point of order that there is no quorum present.

Mr. RAYBURN. I will ask the gentleman from Kentucky to withhold that for a moment. Will the gentleman from Kansas yield for just a moment?

Mr. CAMPBELL of Kansas. I will yield for a brief question.

Mr. RAYBURN. The gentleman will remember that when I appeared before the Committee on Rules the other day his statement to me about time was that there would be 20 minutes on a side.

Mr. CAMPBELL of Kansas. I said there could be 20 minutes on a side.

Mr. RAYBURN. The gentleman said there would be.

Mr. POU. Will the gentleman yield to me for a question?

Mr. CAMPBELL of Kansas. For a question.

Mr. POU. I would like to ask the gentleman why this departure from the usual policy of fairness that has characterized the gentleman's course heretofore. I see no reason why the gentleman should not yield us 20 minutes on this side. I want to suggest to my colleague on the committee that this course of procedure is unusual and in my opinion unworthy of the great Committee on Rules and the chairman of it, who is now addressing the House.

Mr. CAMPBELL of Kansas. This is the first time that I have taken advantage of the right of the majority members of the Committee on Rules to move the previous question after a brief statement as to what the majority proposes to do.

Mr. KINCHELOE. Mr. Speaker, I make the point of no quorum present.

The SPEAKER. The gentleman from Kentucky makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Andrews, Md.	Dupré	Kelly, Pa.	Reber
Bell	Eagan	Kendall	Rhodes
Benson	Ellsworth	Kennedy, Iowa	Riordan
Blackmon	Emerson	Kennedy, R. I.	Robinson, N. C.
Bland, Mo.	Ferris	Kettner	Rodenberg
Boies	Fields	Kreider	Rowan
Booher	Fuller, Mass.	Langley	Rucker
Brumbaugh	Gallivan	Larsen	Schall
Caraway	Garland	Lufkin	Scully
Carew	Godwin, N. C.	McCulloch	Sears
Clark, Fla.	Goldfogle	McDuffie	Smith, Ill.
Claxson	Gould	McPherson	Smith, N. Y.
Cooper	Graham, Pa.	Maher	Snyder
Costello	Griest	Mann, S. C.	Stegall
Crago	Hamill	Mead	Steele
Cramton	Harrison	Moon	Stephens, Miss.
Crowther	Haugen	Moore, Ohio	Stephens, Ohio
Cullen	Hoey	Neely	Stoll
Currie, Mich.	Houghton	Nicholls, S. C.	Strong, Pa.
Curry, Calif.	Hudspeth	O'Connell	Sullivan
Dewalt	Hulings	O'Connor	Tague
Dominick	Johnston, N. Y.	Pell	Weaver
Donovan	Jones, Pa.	Porter	Welty
Dooling	Kahn	Purnell	

The SPEAKER. Three hundred and twenty-nine Members have answered to their names. A quorum is present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that the rule be again reported.

# Congressional Record

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The writer quotes from an article by Sir Richard Jebb, whom he terms "a deep student of the empire problem," and I read from what he quotes, as follows:

That the war will in any event change the external relations is evident. But why, if we win, should it change the political relations between the parts, except to the extent of encouraging us to conserve and develop the existing system which has given so signal an example of effective imperial unity in time of need? Continually talking of imperial unity, we fail to recognize it when we have got it. There is never going to be a moment when one might say, "Yesterday we were not united; to-day the grand act—of imperial federation understood—has been signed; henceforth we are united."

Mr. President, of course none of this is to the reproach of Great Britain or the colonial policies of her statesmen; but I have been interested in the deep solicitude felt by the Senator from Nebraska [Mr. HITCHCOCK] and others on that side of this Chamber in regard to the independence of Canada, as though Canada's place in the British Empire were compelled. Mr. President, as I read history, and as I study the relations between Great Britain and her colonies, it is absolutely voluntary, and they are proud of the great Empire of which they form a conspicuous part.

I remember a little incident which happened in Canada before we entered the war. It was while they were recruiting men. A regiment had been recruited and was marching to take ship for the front. The spectators were looking on as the regiment marched by, and among the spectators was a woman whose husband was among the recruits. She already had two sons in France; and as the soldiers went marching by husband and wife recognized each other, and she turned to her friends and said, "Thank God, I am a Canadian!"

That, I think, illustrates the spirit of the people not only in Canada but in every other great British colony as well.

How was it but a few years ago, Mr. President, when South Africa was arrayed against Great Britain in the Boer War? And yet what leader in South Africa at that time who survives to-day did not loyally stand by and for the cause of Great Britain in the late terrible war? The same feeling, I think, exists in Australia and in New Zealand as in the colonies, or rather self-governing dominions, I have named.

So, Mr. President, there need be no question in regard to the loyalty of the various colonies and self-governing dominions of Great Britain to the mother country when it comes to the votes allowed them in the assembly of the League of Nations. What Great Britain desires will, because of this spirit of loyalty and unity, be their desire, and their votes in any controversy will be cast on the same side with that of Great Britain.

Mr. CURTIS. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 11, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, March 10, 1920.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our heavenly Father, incline Thine ear and hear our prayer. Help us to guide our frail barks along the turbid and stormy sea of life, and finally, when we have finished the work Thou hast given us to do, bring us to a safe harbor where we shall dwell in peace and tranquillity forever. In Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

Mr. LUCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 167, filling a vacancy in the Board of Regents of the Smithsonian Institution, and for its present consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 167) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress that will occur on March 10, 1920, by reason of the expiration of the term of Charles F. Choate, Jr., of Massachusetts, be filled by the reappointment of the said Charles F. Choate, Jr., for the ensuing term.

The SPEAKER. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, I have no objection to the passage of the resolution, but I think these resolutions ought to go to the Committee on the Library. I do not remember whether the Board of Regents meets this month or not. Can the gentleman from Massachusetts inform us?

Mr. LUCE. I can not. This is a reappointment.

Mr. MANN of Illinois. I understand, and the reappointment ought to be made.

The SPEAKER. The gentleman from Massachusetts is a member of the Library Committee.

Mr. MANN of Illinois. That is the reason that the Committee on the Library ought to have acted on the resolution.

Mr. GARD. Reserving the right to object, has this gone to the Library Committee?

Mr. LUCE. It has not; the chairman of the Library Committee is out of town. Delay might ensue, and unless there is some good reason for delay I think it should be considered at the present time.

Mr. GARD. Mr. Speaker, I think in the interest of orderly procedure this should go to the Committee on the Library unless there is some urgent reason for its present consideration.

The SPEAKER. The gentleman from Ohio objects.

MILITARY MOTOR TRUCKS.

Mr. KAHN. Mr. Speaker, I desire to call up a privileged resolution from the Committee on Military Affairs.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 491.

Resolved, That the Secretary of War is hereby directed to transmit to the House of Representatives forthwith the following information, namely:

Whether the War Department during the present fiscal year purchased, contracted for, or agreed to purchase motor trucks or tractors of the type or make known as "Millitor," and separate parts for same; and if so, the number of such trucks or tractors, the stipulated price per truck or tractor, and for separate parts for same, the purpose for which they were or are to be used, the appropriation from which payment for same was or is to be made, the authority of law under which the department purchased or agreed to purchase them, and whether any such trucks or tractors so procured are now available, whether the United States Government now owns any such trucks or tractors other than procured by the above purchase, and how many; also the number of trucks and tractors used or made for handling ordnance which were sold by the War Department or its agencies abroad, and the number sold or distributed in the United States, and the number on hand; also set out the carrying capacity of such trucks or tractors so sold, distributed, or on hand; if said purchase or any part of same was ever disapproved by any branch of the War Department, set out the facts in connection therewith.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Under the rule adopted for the consideration of the reorganization Army bill were not all other matters except that bill displaced?

The SPEAKER. The Chair thinks not.

Mr. KAHN. Mr. Speaker, this resolution is simply a resolution of inquiry calling for certain information from the War Department for the convenience of the House. I move the previous question.

Mr. GARD. Will the gentleman yield for a question?

Mr. KAHN. Certainly.

Mr. GARD. Do I understand that this comes from the Committee on Military Affairs with its unanimous approval?

Mr. KAHN. It does.

The SPEAKER. The question is on ordering the previous question.

The question was taken, and the previous question was ordered.

The resolution was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

CALL OF THE HOUSE.

Mr. CALDWELL. Mr. Speaker, I have made up my mind that we ought to have a sufficient number of Members here to pass on the bill, and I make the point of no quorum.

The SPEAKER. The gentleman from New York makes the point of no quorum, and evidently no quorum is present.

Mr. KAHN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doorkeepers closed the doors, the Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Burke	Classon	Davis, Tenn.
Baer	Burroughs	Cooper	Donovan
Bell	Butler	Copley	Doohing
Benson	Campbell, Kans.	Costello	Eagle
Blanch, Mo.	Cantrill	Cramton	Edmonds
Bocher	Carew	Crowther	Ellsworth
Britten	Chindblom	Curry, Calif.	Fairfield
Browne	Christopherson	Davey	Ferris
Burdick	Clark, Fla.	Davis, Minn.	Fess

Mr. CRAGO. No; it was not. It was a condition which confronted us, but it was not the theory on which this bill was framed.

Mr. BEGG. If that were the deciding or controlling factor, I should not oppose it.

Mr. CRAGO. As a matter of fact we are taking care of some of these men, but we are not increasing the rank of the men who have heretofore held these positions, because we always had major generals as division commanders and as department commanders and also as chiefs of staff.

Mr. LITTLE. I think it is very kind of the committee to have in mind the men who did the fighting over there, and in order to follow that up I do not see why the committee should object to my suggestion. Why not just offer an amendment that every chief of staff or head of a corps must be somebody who commanded troops in action?

Mr. CRAGO. Because, as I said to the gentleman about an hour ago, I believe that men performed service just as valuable to this country in these different staff corps, where they did their duty and helped the Army to function properly, as the men who were fortunate enough to be able to get to the front.

Mr. LITTLE. But you do not claim that a man is really equipped to be a thoroughly useful chief or head of a bureau in the Army of soldiers who was never in battle, do you?

Mr. CRAGO. Men may be good soldiers without ever being in battle, and it takes a good soldier to stay put where he belongs and where he can render the most efficient service, and not always want to go out and do the fighting, which is the easiest thing a brave man can do. [Applause.]

Mr. LITTLE. That is true of every man who stayed at home and attended to his own business, and you had just as well cheer the man who worked in a blacksmith shop during the war. He did his duty as well as a man on the staff in Washington. You should cheer him, too.

Mr. MANN of Illinois. We do. [Applause.]

Mr. CRAGO. If he did his duty and worked patriotically, he is entitled to credit for it.

Mr. CALDWELL. How about the Congressman who stayed at home. Do you not think he is entitled to some credit?

Mr. LITTLE. I believe the gentleman got into the war a day or two before it closed. [Laughter and applause.]

Mr. CRAGO. Mr. Chairman, dismissing all the by-play in which we have indulged, I think that the committee thoroughly understands this situation, and having reduced these higher officers to this number, I think unquestionably the committee should be sustained in their action.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The Clerk read as follows:

SEC. 4. That section 5 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 5. General Staff Corps: The General Staff Corps shall consist of the Chief of Staff, the War Department General Staff, and the General Staff with troops. The War Department General Staff shall consist of the Chief of Staff and 4 assistants to the Chief of Staff selected by the President from the general officers of the line, and 88 other officers of grades not below that of captain. The General Staff with troops shall consist of such number of officers not below the grade of captain as may be necessary to perform the General Staff duties of the headquarters of territorial departments, armies, army corps, divisions, and brigades, and as military attachés abroad. In time of peace the detail of an officer as a member of the General Staff Corps shall be for a period of four years, unless sooner relieved, and such details shall be limited to officers whose names are borne on the list of General Staff Corps eligibles. The initial eligible list shall be prepared by a board consisting of the commandant of the General Staff College, the commandant of the General Service Schools, and one other general officer selected by the Secretary of War who is not then a member of the General Staff Corps. This board shall select and report the names of all officers of the Regular Army, National Guard, and Officers' Reserve Corps of the following classes who are recommended by them as qualified by education, military experience, and character for General Staff duty:

"(a) Those officers graduated from the Army Staff College or the Army War College prior to July 1, 1917, who, upon graduation, were specifically recommended for duty as commander or chief of staff of a division or higher tactical unit, or for duty in the General Staff Corps;

"(b) Those officers who, since April 6, 1917, have commanded a division or higher tactical unit or have demonstrated by actual service in the World War that they are qualified for General Staff duty.

"After the completion of the initial General Staff Corps eligible list the name of no officer shall be added thereto unless upon graduation from the General Staff School he is specifically recommended as qualified for General Staff duty, and after July 1, 1924, no officer of the General Staff Corps except the Chief of Staff and the assistants to the Chief of Staff shall be assigned as a member of the War Department General Staff unless he is a graduate of the General Staff College. The Secretary of War shall publish twice annually the list of officers eligible for General Staff duty, and such eligibility shall be noted in the annual Army Register. If at any time the number of officers available and eligible for detail to the General Staff is not sufficient to fill all vacancies therein, captains may be detailed as acting General Staff officers under such regulations as the President may prescribe.

"The duties of the War Department General Staff shall be to prepare plans for the national defense and for the mobilization of the

military forces and national resources in time of war; to investigate and report upon all questions affecting the efficiency of the Army and its state of preparation for military operations; to render professional aid and assistance to the Secretary of War and the Chief of Staff and to act as their agents in harmonizing the duties, plans, and operations of the branches and bureaus of the War Department and of the Army; and to perform such other military duties not otherwise assigned by law as may from time to time be prescribed.

"The duties of the General Staff with troops shall be to render professional aid and assistance to the general officers over them; to act as their agents in harmonizing the plans, duties, and operations of the various organizations and services under their jurisdiction, in preparing detailed instructions for the execution of the plans of the commanding generals, and in supervising the execution of such instructions.

"The Chief of Staff, under the direction of the President or of the Secretary of War, shall cause the preparation by the War Department General Staff of the necessary plans for recruiting, organizing, supplying, equipping, mobilizing, training, and demobilizing the Army for its use in the national defense. He shall keep the Secretary of War informed of all plans prepared by the War Department General Staff and advise him as to the practicability and desirability of such plans. Upon the approval of such plans by the Secretary of War, he shall supervise their execution and shall coordinate the work of the Military Establishment in such a way as to insure their effective development and execution. In case any recommendations for legislation for the national defense or for the reorganization of the Army or for any other requirements of the Military Establishment are presented by the Secretary of War to Congress or to one of the committees of Congress, such recommendations shall be accompanied by a statement from the appropriate division of the War Department General Staff setting forth the reasons for such recommendations and including the names of the officers of the War Department General Staff who prepared it, together with such pertinent comments for and against the plan as may be made by the Secretary of War, the Chief of Staff, or individual officers of the division of the War Department General Staff in which the plan was prepared: *Provided*, That if such statement contains confidential matter the Secretary of War may inform the chairman of the Committee on Military Affairs of the House of Representatives and the Senate of that fact, and the statement thereafter shall be open to the inspection of members of the said committees, but shall not be taken from the War Department buildings or offices.

"Hereafter members of the General Staff Corps shall be confined strictly to the discharge of duties of the general nature of those specified for them in this section and in the act of Congress approved February 14, 1903, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to establish bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof.

"SEC. 5a. Hereafter, in addition to such other duties as may be assigned him by the Secretary of War, the Assistant Secretary of War, under the direction of the Secretary of War, shall be charged with supervision of the procurement of all military supplies and other business of the War Department pertaining thereto. The Assistant Secretary of War shall receive a salary of \$10,000 per annum. The offices of Second Assistant Secretary of War and Third Assistant Secretary of War are hereby abolished.

"Under the direction of the Secretary of War chiefs of branches of the Army charged with the procurement of supplies for the Army shall report direct to the Assistant Secretary of War regarding all matters of procurement."

Mr. KAHN. Mr. Chairman, I desire to offer the following committee amendment.

The CHAIRMAN. The gentleman from California offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, line 22, after the word "all," change "vacancies" to "vacancies."

The amendment was agreed to.

Mr. KAHN. I offer another amendment.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 12, line 10, after the word "Army," change the comma to a period and strike out all thereafter down to and including line 12.

The amendment was agreed to.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SNYDER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. NORRIS, Mr. BRANDEGEE, and Mr. KIRBY as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 194. Joint resolution amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash.

# Congressional Record

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## PROCEEDINGS AND DEBATES

OF THE

SECOND SESSION OF THE  
SIXTY-SIXTH CONGRESS

OF

THE UNITED STATES  
OF AMERICA

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## SENATE.

THURSDAY, March 11, 1920.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we acknowledge Thy name in the beginning of this day and stand in reverent attitude toward Thee. We thank Thee for the blessings of life. We thank Thee for the vast resources of our land. We thank Thee for the unity of spirit that is among us and for friendships that are welded even stronger by conflict of opinion. We bless Thee for the common ideal and end that is before us. We pray Thee to lead us on to the accomplishment of the divine will in us as a people. For Christ's sake. Amen.

## NAMING OF PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,  
Washington, D. C., March 11, 1920.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES E. WATSON, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. WATSON thereupon took the chair as Presiding Officer.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McLean	Smith, Md.
Ball	Gronna	McNary	Smith, S. C.
Beckham	Hale	Nelson	Smoot
Borah	Harrison	New	Spencer
Brandegee	Henderson	Norris	Sterling
Calder	Hitchcock	Nugent	Sutherland
Capper	Johnson, S. Dak.	Overman	Swanson
Chamberlain	Jones, N. Mex.	Owen	Thomas
Colt	Jones, Wash.	Phelan	Townsend
Culberson	Kendrick	Phipps	Trammell
Curtis	Kenyon	Poindexter	Underwood
Dial	Keyes	Pomerene	Wadsworth
Dillingham	King	Ransdell	Walsh, Mass.
Edge	Kirby	Reed	Walsh, Mont.
Elkins	Lenroot	Sheppard	Warren
Fletcher	Lodge	Sherman	Watson
Frelinghuysen	McCormick	Shields	Wolcott
Gay	McKellar	Simmons	

Mr. GRONNA. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness.

Mr. GERRY. The junior Senator from Georgia [Mr. HARRIS] is detained at home by illness.

The Senator from Nevada [Mr. PITTMAN], the senior Senator from Georgia [Mr. SMITH], and the Senator from Kentucky [Mr. STANLEY] are absent on official business.

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. There is a quorum present.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker had designated Hon. JOSEPH WALSH, a Representative from the State of Massachusetts, as Speaker pro tempore for a period not exceeding 10 legislative days.

## ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3696) to amend section 98 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended, and it was thereupon signed by the Presiding Officer.

## PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present a resolution of the Chicago Association of Commerce, and ask that it be printed without reading and referred to the Committee on Appropriations.

There being no objection, the resolution was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

Resolution passed by the interstate and foreign trade committee of the Chicago Association of Commerce, February 10, 1920.

## UNITED STATES CUSTOMS SERVICE.

Whereas the efficiency of the United States Customs Service has become greatly impaired, due to resignations of many experienced employees, owing to inadequate compensation paid by the Government; and

Whereas the interstate and foreign trade committee of the Chicago Association of Commerce has caused to be made an investigation in the matter and the same discloses that during the last 10 years the Government has granted no material increase in compensation to employees in the Customs Service, notwithstanding the great advance in the cost of living: Be it

*Resolved*, That the interstate and foreign trade committee of the Chicago Association of Commerce direct the matter to the attention of the Secretary of the Treasury, the Committee on Appropriations, and to such other governmental authorities as have jurisdiction therein, and to urge support of the amendment to deficiency bill H. R. 12046, for the appropriation of \$1,000,000 to be used in increasing salaries and filling vacancies in the Customs Service, as a matter of important interest to the importing business of the country, as well as fairness and justice to the employees; and be it further

*Resolved*, That copies of this resolution be transmitted to the members of the Appropriations Committee, the Secretary of the Treasury, commercial bodies throughout the United States, and to Members of Congress as indicating the views and recommendation of the interstate and foreign trade committee of the Chicago Association of Commerce.

G. L. WALTERS,

Chairman Subcommittee Interstate and Foreign Trade Committee.

Mr. LODGE. I present a petition from the General Court of Massachusetts, which I ask may be placed in the RECORD without reading and referred to the Committee on Commerce.

There being no objection, the petition was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

## THE COMMONWEALTH OF MASSACHUSETTS, 1920.

An order relative to maintaining transportation through the Cape Cod Canal.

Whereas the United States Railroad Administration has ordered a relinquishment of the Cape Cod Canal and of the property connected therewith; and

Whereas the ownership of the canal is at present uncertain, the price to be paid therefor by the United States Government being a subject of dispute in the courts; and

Whereas it is of the utmost importance to the people of New England that the canal should not only be open but should be operated to the fullest extent for the transportation of coal and other commodities during the present emergency: Therefore it is hereby

*Ordered*, That the General Court of Massachusetts hereby requests the United States Government to take such action as may be necessary to provide for the prompt and full operation of the canal, especially for the transportation to New England of coal and other commodities; and be it further

*Ordered*, That copies of this order be sent by the secretary of the Commonwealth to the United States Railroad Administration, to the Secretary of War, and to the Senators and Representatives in Congress from this Commonwealth.

In house of representatives, adopted, March 1, 1920.

In senate, adopted, in concurrence, March 2, 1920.

A true copy.

Attest:

ALBERT F. LANGLEY,  
Secretary of the Commonwealth.

Mr. McLEAN presented petitions of the Bunker Hill Literary Club, of Waterbury; the Alpine Club, of Bridgeport; the Women's Club, of Waterbury; the Wednesday Afternoon Club, of Norwich; and the Federation of Women's Clubs, of Washington, all in the State of Connecticut, praying for the enactment of legislation providing for vocational education, which were referred to the Committee on Education and Labor.

He also presented a petition of A. G. Hammond Camp, No. 5, Spanish War Veterans, of New Britain, Conn., and a petition of George M. Cole Camp, No. 7, Department of Connecticut, United Spanish War Veterans, of New London, Conn., praying for the enactment of legislation granting pensions to Spanish War veterans, etc., which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Milford, Conn., praying that the United States give military aid to Armenia, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented a memorial of Farmers' Union No. 1729, of Falun, Kans., and a memorial of Farmington Grange No. 1474, Patrons of Husbandry, of Eureka, Kans., remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the Oakland Chapter, Daughters of the American Revolution, of Oakland, Calif., praying for the enactment of legislation to grant rank to the Army Nurse Corps, which was referred to the Committee on Military Affairs.

Mr. SMITH of Maryland presented a petition of the congregation of the Episcopal Church, of Baltimore, Md., praying that relief be given to the starving peoples of Europe and the Near East, which was referred to the Committee on Foreign Relations.

## MUNICIPAL COURT OF THE DISTRICT OF COLUMBIA.

Mr. KELLOGG, from the Committee on the Judiciary, to which was referred the bill (H. R. 10074) to enlarge the jurisdiction of the Municipal Court of the District of Columbia, and to regulate appeals from the judgments of said court, and for other purposes, reported it with amendments and submitted a report (No. 467) thereon.